

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~~ **the VCAP advisory board**; amending K.S.A. 73-
6 209, 73-210, 73-1211, 73-1222, 73-1223, 73-1224, 73-1225, 73-1226,
7 73-1227, 73-1229, 73-1230, 73-1231, 73-1232, 76-1904, 76-1904a, 76-
8 1908, 76-1927, 76-1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-
9 1935a, 76-1936, 76-1941, 76-1951, 76-1952, 76-1954, 76-1955, 76-
10 1956, 76-1957 and 76-1958; K.S.A. 2012 Supp. 74-2012, as amended
11 by section 3 of chapter 74 of the 2013 Session Laws of Kansas and
12 K.S.A. 2013 Supp. 39-923, 65-1732, 65-2418, 73-1209, 73-1210a, 73-
13 1217, 73-1218, 73-1233, 73-1234, 73-1235, 73-1236, 73-1238, 73-
14 1239, 73-1241, 73-1242, 73-1243, 75-3370, 75-4362, 76-6b05, 76-
15 1906, 76-1939, 76-1953 and 79-3221k and repealing the existing
16 sections; also repealing K.S.A. 73-1207, 73-1208b, 73-1208c and 73-
17 1220 and K.S.A. 2013 Supp. 73-1208a 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. 75-4315e, 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. 4.~~ 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~~ 5. 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. 6. 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. ~~7~~ 7. K.S.A. 73-209 is hereby amended to read as follows: 73-
11 209. (a) On submission to the adjutant general of an original discharge or
12 other official record of military service of any soldier, sailor or marine of
13 the United States, or of a copy of such discharge or official record of
14 military service certified to by a city, county or state official as being a true
15 copy of original document, the adjutant general shall place such record on
16 file in the adjutant general's office. If original documents are submitted,
17 the adjutant general shall cause true copies of such original documents to
18 be 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. ~~8~~ 8. K.S.A. 73-210 is hereby amended to read as follows: 73-
36 210. 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~~ **9**. 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 *of such veterans* as are not otherwise offered by federal
36 agencies.

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

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

1 (i) *Adopt, amend or revoke any rules and regulations necessary to*
 2 *carry out the provisions of article 12 of chapter 73 and article 19 of*
 3 *chapter 76 of the Kansas Statutes Annotated, and amendments thereto.*

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

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

10 (l) ***Appoint and oversee the deputy director of veterans services***
 11 ***pursuant to K.S.A. 73-1234, and amendments thereto.***

12 (m) (1) *Annually prepare and submit a written report to the house*
 13 *committee on veterans, military and homeland security and to the*
 14 *governor, providing the following:*

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

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

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

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

27 (E) *any other information deemed necessary.*

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

31 **Sec. ~~11~~ 10.** K.S.A. 2013 Supp. 73-1210a is hereby amended to read
 32 as follows: 73-1210a. (a) Except as otherwise provided by law, and subject
 33 to the Kansas civil service act, the ~~executive~~ director of the Kansas
 34 commission on veterans affairs *office* shall appoint:

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

40 (2) *the superintendent of the Kansas soldiers' home; ~~and~~*

41 (3) *the superintendent of the Kansas veterans' home; and*

42 (4) ***the deputy director of veterans services pursuant to K.S.A. 73-***
 43 ***1234, and amendments thereto.***

1 (b) Upon the commencement of the interview process, every
2 candidate for a position in ~~a~~ *the* Kansas commission on veterans affairs
3 office that interviews claimants and provides information advice and
4 counseling to veterans, surviving spouses, their dependents concerning
5 compensation, pension, education, vocational rehabilitation, insurance,
6 hospitalization, outpatient care, home loans, housing, tax exemptions,
7 burial benefits and other benefits to which they may be entitled, or any
8 other sensitive position, as determined by the ~~executive~~ director shall be
9 given a written notice that a criminal history records check is required. The
10 *director of the* Kansas commission on veterans affairs *office* shall require
11 such candidates to be fingerprinted and submit to a state and national
12 criminal history record check. The fingerprints shall be used to identify the
13 candidate and to determine whether the candidate has a record of criminal
14 history in this state or another jurisdiction. The *director of the* Kansas
15 commission on veterans affairs *office* shall submit the fingerprints to the
16 Kansas bureau of investigation and the federal bureau of investigation for
17 a state and national criminal history record check. Local and state law
18 enforcement officers and agencies shall assist the *director of the* Kansas
19 commission on veterans affairs *office* in taking and processing of
20 fingerprints of candidates. If the criminal history record information
21 reveals any conviction of crimes of dishonesty or violence, such
22 conviction may be used to disqualify a candidate for any position within
23 the *director of the* Kansas commission on veterans affairs *office*. If the
24 criminal history record information is used to disqualify a candidate, the
25 candidate shall be informed in writing of that decision.

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

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

40 ~~(e) (d) (1)~~ Except as otherwise provided by law, and subject to the
41 Kansas civil service act, the ~~executive~~ director of the Kansas commission
42 on veterans affairs *office* shall appoint ~~such~~ subordinate officers and
43 employees, *a superintendent of the Kansas soldiers' home and a*

1 *superintendent of the Kansas veterans' home, subject to the approval of the*
2 ~~Kansas commission on veterans affairs~~, as shall be necessary to enable the
3 *director of the Kansas commission on veterans affairs office* to exercise or
4 perform its functions, powers and duties pursuant to the provisions of
5 article 19 of chapter 76 of *the Kansas Statutes Annotated*, and amendments
6 thereto.

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

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

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

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

41 ~~Nothing in this subsection shall be construed to affect the status, rights~~
42 ~~or benefits of any officer or employee of the Kansas commission on~~
43 ~~veterans affairs employed by such commission on the effective date of this~~

1 ~~act.~~

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

5 (1) Assisting veterans and their dependents in securing benefits from
6 the federal government and the state of Kansas.

7 (2) Providing information and assistance to veterans and dependents
8 in obtaining special services and benefits based on knowledge of federal
9 and state laws, policies and regulations pertaining to veterans benefits and
10 services.

11 (3) Providing assistance to veterans service organizations
12 participating in the veterans claims assistance program.

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

17 Sec. ~~12.~~ **11.** K.S.A. 73-1211 is hereby amended to read as follows:
18 73-1211. All claims filed with the federal veterans' administration by the
19 *director of the Kansas ~~veterans'~~ commission on veterans affairs office* shall
20 be prosecuted by an accredited representative of one of the participating
21 veterans' organizations. No employee of any veterans' organization shall
22 participate in or receive any funds hereinafter appropriated or made
23 available to the *director of the Kansas ~~veterans'~~ commission on veterans*
24 *affairs office* unless such employing veterans' organization shall prosecute
25 any and all claims to the federal veterans' administration that are referred
26 to them or their employees by the *director of the Kansas ~~veterans'~~*
27 *commission on veterans affairs office*.

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

1 without charge to a dependent under this act may file a claim with the
2 *director of the Kansas commission on veterans affairs office* for
3 reimbursement of the amount of such tuition or fees. The *director of the*
4 *Kansas commission on veterans affairs office* shall administer this act and
5 qualifications of persons as dependents shall be determined by such
6 ~~commission~~ *director*. Such ~~commission~~ *director* may adopt rules and
7 regulations making more specific the definitions herein contained and for
8 the administration of this act.

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

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

39 Sec. ~~15~~ **14**. K.S.A. 73-1222 is hereby amended to read as follows:
40 73-1222. As used in K.S.A. 73-1221 through 73-1231, and amendments
41 thereto, unless the context clearly indicates otherwise:

42 (a) "Birth defect" means any physical or mental abnormality or
43 condition, including any susceptibility to any illness or condition other

1 than normal childhood illnesses or conditions.

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

4 ~~(c) "Commission" means the Kansas commission on veterans affairs.~~

5 ~~(d) (c) "Director" means the executive director of the Kansas~~
6 ~~commission on veterans affairs office.~~

7 ~~(e) (d) "Gulf War syndrome" means the wide range of physical and~~
8 ~~mental conditions, problems and illnesses that are connected with service~~
9 ~~in the armed forces of the United States during and in the area of~~
10 ~~operations of the Persian Gulf War.~~

11 ~~(f) (e) "Veteran" means a person who is a resident of Kansas who was~~
12 ~~a member of the armed forces of the United States of America and who~~
13 ~~served in such armed forces in the area of operations of the Persian Gulf~~
14 ~~War during the Persian Gulf War or thereafter regardless of whether such~~
15 ~~person is still actively serving in the armed forces or reserve.~~

16 ~~Sec. 16. 15. K.S.A. 73-1223 is hereby amended to read as follows:~~
17 ~~73-1223. (a) There is hereby established with the commission Kansas~~
18 ~~commission on veterans affairs office an advisory board known to be the~~
19 ~~Persian Gulf War veterans health initiative board. The board shall be~~
20 ~~advisory to the commission director in the implementation and~~
21 ~~administration of this act.~~

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

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

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

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

41 (c) Within 90 days of the effective date of this act, the governor, the
42 ~~commission director~~, the speaker of the house of representatives and the
43 president of the senate shall appoint the initial members of the board. Of

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

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

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

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

40 Sec. ~~17~~ **16**. K.S.A. 73-1224 is hereby amended to read as follows:
41 73-1224. (a) The ~~commission~~ *director* shall develop comprehensive
42 surveys, or adopt one or more existing surveys, to be conducted to
43 determine and study the physical and mental conditions, problems and

1 illnesses, including birth defects, as well as the employment, social,
2 emotional and family problems experienced by veterans, their spouses and
3 family members since the veteran's return to Kansas and by any other
4 persons residing in Kansas who are suffering from Gulf War syndrome.

5 (b) The ~~commission~~ director shall develop or adopt the surveys
6 within the first four months after the effective date of this act. The
7 ~~commission~~ director shall administer the surveys and review the
8 completed surveys with the board. The ~~commission~~ director shall compile
9 the results of the surveys and develop recommendations for the legislature
10 based thereon. The director shall report the results to appropriate federal
11 agencies and shall request additional assistance for veterans commensurate
12 with the director's duties under K.S.A. 73-1209, and amendments thereto.

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

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

23 Sec. ~~18~~ 17. K.S.A. 73-1225 is hereby amended to read as follows:
24 73-1225. There is hereby established with the *Kansas commission on*
25 *veterans affairs office* a full-time position dedicated to seeking and
26 applying for grants and other moneys to fund activities under this act, to
27 assist in the preparation and administration of surveys under this act, to
28 promote programs and activities designed to assist persons affected by
29 Gulf War syndrome to receive the help they need and to perform such
30 other duties as the ~~chairperson of the commission~~ director may prescribe.
31 Within 90 days of the effective date of this act, the ~~commission~~ director
32 shall appoint a qualified individual to this position.

33 Sec. ~~19~~ 18. K.S.A. 73-1226 is hereby amended to read as follows:
34 73-1226. (a) The ~~commission~~ director shall request that the department of
35 health and environment contact families of any children born after August
36 1, 1991, who are on any state birth defect list maintained by the
37 department, to inform the families of the availability of the survey and the
38 registry if either parent served in the Persian Gulf War. If the family
39 voluntarily participates in the survey, the veteran's child's name shall be
40 listed in the state Persian Gulf War registry.

41 (b) The ~~commission~~ director shall determine the appropriate health
42 programs and the confidential mechanisms that shall be utilized to ask
43 participants in such programs whether they are Persian Gulf War veterans,

1 and if so, offer the veterans voluntary participation in the survey under
2 K.S.A. 73-1224, and amendments thereto.

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

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

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

12 ~~Sec. 20.~~ **19.** K.S.A. 73-1227 is hereby amended to read as follows:
13 73-1227. Subject to funds available, the ~~commission~~ *director* shall conduct
14 a fiscal impact study, aimed at identifying the annual budgetary impact of
15 Gulf War syndrome on Kansas in terms of increased costs of education,
16 medical coverage, correction of birth defects and other expenses identified
17 through the results of the surveys conducted under K.S.A. 73-1224, and
18 amendments thereto.

19 ~~Sec. 21.~~ **20.** K.S.A. 73-1229 is hereby amended to read as follows:
20 73-1229. The ~~commission~~ *director* shall adopt rules and regulations to
21 implement and administer the provisions of K.S.A. 73-1221 through 73-
22 1231, and amendments thereto.

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

31 ~~Sec. 23.~~ **22.** K.S.A. 73-1231 is hereby amended to read as follows:
32 73-1231. There is hereby established in the state treasury the Persian Gulf
33 War veterans health initiative fund which shall be administered by the
34 ~~Kansas commission on veterans affairs~~ *director*. All moneys received from
35 any grants from federal or other nonstate sources, from contributions or
36 from any other source for the purpose of financing the activities of the
37 board or the development or administration of the surveys developed by
38 the board under this act, shall be remitted to the state treasurer in
39 accordance with the provisions of K.S.A. 75-4215, and amendments
40 thereto. Upon receipt of each such remittance, the state treasurer shall
41 deposit the entire amount in the state treasury to the credit of the Persian
42 Gulf War veterans health initiative fund. All expenditures from the Persian
43 Gulf War veterans health initiative fund shall be for the purposes of

1 financing the activities of the ~~commission~~ *director* for the implementation
2 and administration, including the activities of the board and the
3 development and administration of the surveys under this act, and shall be
4 made in accordance with appropriation acts upon warrants of the director
5 of accounts and reports issued pursuant to vouchers approved by the
6 *director of the Kansas commission on veterans affairs office* or the
7 ~~commission's director's~~ designee.

8 Sec. ~~24~~ 23. K.S.A. 73-1232 is hereby amended to read as follows:
9 73-1232. (a) The *director of the Kansas commission* ~~of on veterans affairs~~
10 *office* is hereby authorized to establish and maintain a state system of
11 veterans cemeteries. For the purposes of such system, the ~~commission~~
12 *director* may request, accept and take title to any grants or bequests or
13 other donations of moneys, other personal property, real property or other
14 assistance from any person, firm, association or corporation or from any
15 federal, state or local governmental agency or other governmental entity.
16 The ~~commission~~ *director* may lease, purchase or otherwise acquire title to
17 real property for the state system of veterans cemeteries. Subject to the
18 provisions of subsection (b), the ~~commission~~ *director* may enter into
19 contracts for the purpose of establishing and maintaining the system of
20 veterans cemeteries.

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

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

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

38 (b) In accordance with this section, the *director of the Kansas*
39 *commission on veterans affairs office* may initiate and conduct capital
40 improvement projects to construct, reconstruct or repair or to maintain
41 memorials for veterans. Each memorial for veterans shall be located at an
42 institution, building or facility on state-owned property of the *director of*
43 *the Kansas commission on veterans affairs office* and shall become the

1 property of Kansas upon completion and acceptance of the project by the
2 secretary of administration and the *director of the* Kansas commission on
3 veterans affairs *office*. Except as otherwise provided by law or rules and
4 regulations adopted under this section, each such capital improvement
5 project for any such memorial for veterans shall be totally financed from
6 private moneys received by the *director of the* Kansas commission on
7 veterans affairs *office* for such purpose. Prior to initiating a capital
8 improvement project for any such memorial for veterans, the plans and
9 specifications for the project shall be reviewed and shall receive prior
10 approval by the secretary of administration. No such capital improvement
11 project for any such memorial for veterans shall be approved or initiated
12 by the *director of the* Kansas commission on veterans affairs *office* without
13 having first advised and consulted with the joint committee on state
14 building construction.

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

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

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

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

39 (3) guidelines and procedures to provide that the prior, express
40 approval of the *director of the* Kansas commission on veterans affairs
41 *office* has been obtained before: (A) The name of the Kansas commission
42 on veterans affairs *office* or the name of the Kansas soldiers' home, the
43 Kansas veterans' home or any other institution, building or facility under

1 the jurisdiction of the ~~commission~~, *director*; or (B) the name of ~~any~~
2 ~~member of the commission~~ *director* or of any officer or employee of the
3 ~~commission~~ *Kansas commission on veterans affairs office* or of any such
4 institution, building or facility, is used in connection with any fund-raising
5 for any memorial for veterans;

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

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

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

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

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

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

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

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

43 Sec. ~~26~~ 25. K.S.A. 2013 Supp. 73-1234 is hereby amended to read as

1 follows: 73-1234. (a) **(1)** The *director of the* Kansas commission on
2 veterans affairs *office* shall establish and administer a veterans claims
3 assistance program in accordance with this section to improve the
4 coordination of veterans benefits counseling in Kansas to maximize the
5 effective and efficient use of taxpayer dollars and to ensure that every
6 veteran is served and receives claims counseling and assistance.

7 **(2)** The *director of the* Kansas commission on veterans affairs *office*
8 shall establish and commence operations under the veterans claims
9 assistance program in accordance with this section on or before August 1,
10 2006.

11 **(3)** The *director of the* Kansas commission on veterans affairs *office*
12 shall appoint the ~~director of the veterans claims assistance program~~ **deputy**
13 **director of veterans services**, who shall be in the classified service under
14 the Kansas civil service act. **The deputy director of veterans services shall**
15 **provide such services to assist the director of the Kansas commission on**
16 **veterans affairs office for all veterans services, except for those services**
17 **relating to the Kansas soldiers' home and the Kansas veterans' home.**

18 **(4)** No employee of the Kansas commission on veterans affairs *office*
19 shall act as an agent with power of attorney for any claimant.

20 (b) The veterans claims assistance program shall implement and
21 administer annual service grants to eligible veterans service organizations
22 pursuant to grant agreements entered into with the *director of the* Kansas
23 commission on veterans affairs *office* in accordance with this section. All
24 grant agreements shall include any match requirements described in
25 subsection (g). All service grants and grant agreements shall be subject to
26 the provisions of appropriation acts.

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

41 (d) All moneys provided to veterans service organizations through
42 service grants shall be used only for salaries, wages, related employer
43 contributions and personnel costs, and operating and capital outlay

1 expenditures for training and equipment for veterans claims assistance
2 representatives and necessary support and managerial staff.

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

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

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

12 (2) the veterans service organization shall agree to cross-accredit the
13 officers and employees of the *director of the* Kansas commission on
14 veterans affairs *office* who are veterans and who work in the veteran
15 services program, as well as veterans claims assistance representatives of
16 other veterans service organizations who are performing services under the
17 veterans claims assistance program, subject to the following:

18 (A) The person to be cross-accredited shall provide proof to the
19 ~~director of the veterans claims assistance program~~ **deputy director of**
20 **veterans services** that the person has successfully completed the national
21 association of county veterans service officers training or equivalent, as
22 determined by the ~~director of the claims assistance program~~ **deputy**
23 **director of veterans services** and that such person shall participate in a
24 minimum of one annual training session as approved by the ~~director of the~~
25 ~~claims assistance program~~ **deputy director of veterans services** as well as
26 maintain the continuing education requirements of the cross-accrediting
27 veterans service organization; and

28 (B) the cross-accrediting veterans service organization has reserved
29 the right to terminate the accreditation if the person fails to meet the
30 continuing education requirement of the veterans service organization or
31 participate in a minimum of one annual training session as approved by the
32 ~~director of the veterans claims assistance program~~ **deputy director of**
33 **veterans services**;

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

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

39 (5) demonstrate the ability to comply with the requirements
40 prescribed by this section or adopted by the *director of the* Kansas
41 commission on veterans affairs *office* under this statute for accounting,
42 service work activity and other satisfactory performance requirements and
43 measures;

1 (6) have established state headquarters in Kansas;

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

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

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

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

13 (11) agree to make no reference to membership eligibility on claims
14 documentation and not solicit membership due to information received on
15 claim forms;

16 (12) agree to cross-accredit service officers participating in the
17 service grant program to include service officers of partnered veterans
18 service organizations and *the* Kansas commission on veterans affairs *office*
19 staff located in the federal veterans administration regional office and the
20 United States department of veterans affairs medical centers in
21 Leavenworth and Topeka; and

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

25 ~~For the purposes of this subsection, "director" means the director of the~~
26 ~~veterans claims assistance program.~~

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

34 (h) Each veterans service organization receiving a service grant under
35 this section shall file with the Kansas commission on veterans affairs
36 *office*, within 90 days after the end of the veterans service organization's
37 fiscal year, a detailed statement prepared by a certified public accountant
38 which sets forth an accounting of all expenditures of moneys received
39 under the service grant. Each veterans service organization receiving a
40 service grant under this section shall apply for the grant funding on an
41 annual basis, shall demonstrate satisfactory performance based on
42 completion of minimum requirements during the preceding annual period
43 and shall certify that all veterans service representatives funded with

1 service grant moneys meet minimum training requirements to provide for
2 core competencies.

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

7 Sec. ~~27~~ 26. K.S.A. 2013 Supp. 73-1235 is hereby amended to read as
8 follows: 73-1235. (a) There is hereby established with the Kansas
9 commission on veterans affairs *office* an advisory board which shall be
10 known as the ~~veterans claims assistance~~ *VCAP* advisory board. The
11 advisory board shall advise the *director of the* Kansas commission on
12 veterans affairs *office* in the implementation and administration of the
13 veterans claims assistance program.

14 (b) (1) The advisory board shall consist of ~~the following members~~ *at*
15 *least seven members as follows:*

16 ~~(A)~~ (A) The *deputy* director of ~~the veterans claims assistance program~~
17 *veterans services*, who shall be a permanent member of the advisory board
18 and shall serve as the chairperson of the advisory board.

19 ~~(B)~~ (B) Each veterans service organization participating in the grant
20 program shall appoint one member of the advisory board who shall be a
21 veteran. The *deputy* director ~~of the veterans claims assistance program~~
22 *veterans services* shall notify the state level unit of each national veterans
23 service organization which has an office in the federal department of
24 veteran affairs regional office in Wichita, Kansas, and request written
25 confirmation of the intent of the veterans service organization to
26 participate in the veterans claims assistance program and to request an
27 annual service grant. ~~Each such veterans service organization submitting~~
28 ~~such confirmation that also meets the eligibility requirements in K.S.A.~~
29 ~~73-1234, and amendments thereto, shall prepare and submit a list of three~~
30 ~~nominations of veterans from such veterans service organization.~~

31 (C) The governor shall appoint ~~one veteran as a member of the~~
32 ~~advisory board from each list~~ *two members of the advisory board who*
33 *shall be veterans. With regard to members appointed by the governor,*
34 *any veterans service organization may submit a list of three names for*
35 *consideration by the governor in making the appointment. The governor*
36 *shall consider each such list if timely submitted and may appoint from*
37 *among those listed.*

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

43 (2) *If there are less than two veterans services organizations*

1 *participating in the grant program under subsection (b)(1)(B), then the*
2 *governor shall appoint the remaining members of the advisory board.*
3 *Appointments under this paragraph shall not exceed two members.*

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

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

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

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

37 ~~Sec. 28.~~ 27. K.S.A. 2013 Supp. 73-1236 is hereby amended to read as
38 follows: 73-1236. The legislative budget committee shall annually study
39 and review the veterans claims assistance program and the service grants
40 program of the Kansas commission on veterans affairs *office* under this
41 act. The *director of the* Kansas commission on veterans affairs *office* and
42 each veterans service organization which is receiving service grants under
43 this section shall prepare and present annual reports of activities and

1 expenditures under the veterans claims assistance program and the service
2 grants program.

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

10 ~~(1)~~ **(a)** Such veteran is a legal resident of this state or was a legal
11 resident of this state at the time the veteran entered or was discharged from
12 military service or at the time of the veteran's death; and

13 ~~(2)~~ **(b)** such veteran was honorably separated or discharged from
14 military service or is still in active service in an honorable status, or was in
15 active service in an honorable status at the time of the veteran's death.

16 ~~Sec. 30.~~ **29.** K.S.A. 2013 Supp. 73-1239 is hereby amended to read as
17 follows: 73-1239. The Vietnam war era medallion, medal and a certificate
18 shall be awarded regardless of whether or not such veteran served within
19 the United States or in a foreign country. The medallion, medal and the
20 certificate shall be awarded regardless of whether or not such veteran was
21 under eighteen years of age at the time of enlistment. For purposes of this
22 bill, "veteran" means any person defined as a veteran by the United States
23 department of veterans' affairs or its successor agency. The *director of the*
24 Kansas commission on veterans affairs *office* shall administer the program
25 and shall adopt all rules and regulations necessary to administer the
26 program. The agency shall determine as expeditiously as possible the
27 persons who are entitled to a Vietnam war era medallion, medal and a
28 certificate and distribute the medallions, medals and the certificates.
29 Applications for the Vietnam war era medallion, medal and the certificate
30 shall be filed with the *director of the* Kansas commission on veterans
31 affairs *office* at any time after January 1, 2010, on forms prescribed and
32 furnished by the *deputy director of the* Kansas commission on veterans
33 affairs *office*. The director of veteran services shall approve all applications
34 that are in order, and shall cause a Vietnam war era medallion, medal and a
35 certificate to be prepared for each approved veteran in the form approved
36 by the *director of the* Kansas commission on veterans affairs *office*. The
37 *deputy* director of ~~veterans~~ *veteran* services shall review applications for
38 the Vietnam war era medallion, medal and a certificate to ensure recipients
39 are enrolled for eligible federal benefits.

40 ~~Sec. 31.~~ **30.** K.S.A. 2013 Supp. 73-1241 is hereby amended to read as
41 follows: 73-1241. If any spouse or eldest living survivor applies for the
42 Vietnam war era medallion, medal and certificate or if any veteran dies
43 after applying for a Vietnam war era medallion, medal and a certificate and

1 such veteran would have been entitled to the Vietnam war era medallion,
2 medal and the certificate, the *director of the* Kansas commission on
3 veterans affairs *office* shall give the Vietnam war era medallion, medal and
4 the certificate to the spouse or eldest living survivor of the deceased
5 veteran.

6 Sec. ~~32~~ **31**. K.S.A. 2013 Supp. 73-1242 is hereby amended to read as
7 follows: 73-1242. If the director of veteran services disallows any veteran's
8 claim to a Vietnam war era medallion, medal and a certificate, a statement
9 of the reason for the disallowance shall be filed with the application and
10 notice of this disallowance shall be mailed to the applicant at the
11 applicant's last known address. The *director of the* Kansas commission on
12 veterans affairs *office* shall approve the form of the Vietnam war era
13 medallion, medal and the certificate. It is the intent of the legislature to
14 create statewide involvement in the design of these symbols in recognition
15 of this historic endeavor. The ~~veterans'~~ *director of the Kansas* commission
16 *on veterans affairs office* may solicit potential designs from elementary
17 and secondary schools, veterans' groups, civic organizations or any other
18 interested party, and may select the best design from among such solicited
19 designs or may select another design.

20 Sec. ~~33~~ **32**. K.S.A. 2013 Supp. 73-1243 is hereby amended to read as
21 follows: 73-1243. The "Vietnam war era veterans' recognition award fund"
22 is hereby created in the state treasury, and shall consist of all gifts,
23 donations and bequests to the fund. Moneys received shall be remitted to
24 the state treasurer in accordance with the provisions of K.S.A. 75-4215,
25 and amendments thereto. Upon receipt of each such remittance, the state
26 treasurer shall deposit the entire amount in the state treasury to the credit
27 of the Vietnam war era veterans' recognition award fund. The fund shall be
28 administered by the *director of the* Kansas commission on- veterans affairs
29 *office*. Moneys in the Vietnam war era veterans' recognition award fund
30 shall not be transferred to the credit of the state general fund. On or before
31 the 10th day of each month, the director of accounts and reports shall
32 transfer from the state general fund to the Vietnam war era veterans'
33 recognition award fund interest earnings based on:

34 ~~(1)~~ **(a)** The average daily balance of moneys in the Vietnam war era
35 veterans' recognition award fund for the preceding month; and

36 ~~(2)~~ **(b)** the net earnings rate of the pooled money investment portfolio
37 for the preceding month. Moneys in the fund shall be used solely to
38 promote the solicitation for designs for, aid in the manufacture of and aid
39 in the distribution of the medallion, medal and the certificate.

40 Sec. ~~34~~ **33**. K.S.A. 2012 Supp. 74-2012, as amended by section 3 of
41 chapter 74 of the 2013 Session Laws of Kansas, is hereby amended to read
42 as follows: 74-2012. (a) (1) All motor vehicle records shall be subject to
43 the provisions of the open records act, except as otherwise provided under

1 the provisions of this section and by K.S.A. 65-2422d and 74-2022, and
2 amendments thereto.

3 (2) Nothing in this section shall prevent the transmittal of motor
4 vehicle records for the purpose of processing voter registration
5 applications.

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

10 (b) All motor vehicle records which relate to the physical or mental
11 condition of any person, have been expunged or are photographs or digital
12 images maintained in connection with the issuance of drivers' licenses
13 shall be confidential and shall not be disclosed except in accordance with a
14 proper judicial order or as otherwise more specifically provided in this
15 section or by other law. Photographs or digital images maintained by the
16 division of vehicles in connection with the issuance of drivers' licenses
17 may be disclosed to any federal, state or local agency, including any court
18 or law enforcement agency, to assist such agency in carrying out the
19 functions required of such governmental agency. In January of each year
20 the division shall report to the house committee on veterans, military and
21 homeland security regarding the utilization of the provisions of this
22 subsection. Motor vehicle records relating to diversion agreements for the
23 purposes of K.S.A. 8-1567, 12-4415 and 22-2908 and K.S.A. ~~2012~~ 2013
24 Supp. 8-1025, and amendments thereto, shall be confidential and shall not
25 be disclosed except in accordance with a proper judicial order or by direct
26 computer access to:

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

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

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

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

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

43 (1) The director of vehicles may provide to a requesting party, and a

1 requesting party may receive, such a list and accompanying information
2 from motor vehicle records upon written certification that the requesting
3 party shall use the list solely for the purpose of:

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

6 (i) Have safety-related defects;

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

8 (iii) have any defect to be remedied at the expense of the
9 manufacturer;

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

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

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

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

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

26 (E) assisting businesses with the verification or reporting of
27 information derived from the title and registration records of the division
28 to prepare and assemble vehicle history reports, except that such vehicle
29 history reports shall not include the names or addresses of any current or
30 previous owners;

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

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

37 (H) assisting the Kansas commission on veterans affairs *office* in
38 notifying veterans of the facilities, benefits and services available to
39 veterans.

40 (2) Any law enforcement agency of this state which has access to
41 motor vehicle records may furnish to a requesting party, and a requesting
42 party may receive, such a list and accompanying information from such
43 records upon written certification that the requesting party shall use the list

1 solely for the purpose of assisting an insurer authorized to do business in
2 this state, or the insurer's authorized agent, in processing an application
3 for, or renewal or cancellation of, a motor vehicle liability insurance
4 policy.

5 (d) If a law enforcement agency of this state furnishes information to
6 a requesting party pursuant to paragraph (2) of subsection (c), the law
7 enforcement agency shall charge the fee prescribed by the secretary of
8 revenue pursuant to K.S.A. 74-2022, and amendments thereto, for any
9 copies furnished and may charge an additional fee to be retained by the
10 law enforcement agency to cover its cost of providing such copies. The fee
11 prescribed pursuant to K.S.A. 74-2022, and amendments thereto, shall be
12 paid monthly to the secretary of revenue and upon receipt thereof shall be
13 deposited in the state treasury to the credit of the electronic databases fee
14 fund, except for the \$1 of the fee for each record required to be credited to
15 the highway patrol training center fund under subsection (f).

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

21 (f) A fee in an amount fixed by the secretary of revenue pursuant to
22 K.S.A. 74-2022, and amendments thereto, of not less than \$2 for each full
23 or partial motor vehicle record shall be charged by the division, except that
24 the director may charge a lesser fee pursuant to a contract between the
25 secretary of revenue and any person to whom the director is authorized to
26 furnish information under paragraph (1) of subsection (c), and such fee
27 shall not be less than the cost of production or reproduction of any full or
28 partial motor vehicle record requested. Except for the fees charged
29 pursuant to a contract for motor vehicle records authorized by this
30 subsection pertaining to motor vehicle titles or motor vehicle registrations
31 or pursuant to subsection (c)(1)(B)(ii) or (c)(1)(D), \$1 shall be credited to
32 the highway patrol training center fund for each motor vehicle record
33 provided by the division of vehicles.

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

36 ~~Sec. 35. 34.~~ K.S.A. 2013 Supp. 75-3370 is hereby amended to read as
37 follows: 75-3370. (a) ~~The secretary of social and rehabilitation for aging~~
38 ~~and disability~~ services is hereby authorized to enter into an interagency
39 agreement with the secretary of corrections and the *director of the* Kansas
40 commission on veterans affairs *office* transferring the charge, care,
41 management and control of the Winfield state hospital and training center
42 property to the department of corrections and the Kansas commission on
43 veterans affairs *office* in accordance with the current uses of the Winfield

1 state hospital and training center property and as agreed upon by the
2 secretary of corrections and the *director of the* Kansas commission on
3 veterans affairs *office*.

4 (b) At such time as specific title descriptions to the portion of the
5 Winfield state hospital and training center property that is transferred to
6 the charge, care, management and control of the department of corrections
7 and the portion of the Winfield state hospital and training center property
8 that is transferred to the charge, care, management and control of the
9 *director of the* Kansas commission on veterans affairs *office* have been
10 determined and are available, the secretary ~~of social and rehabilitation for~~
11 ~~aging and disability~~ services shall convey, without compensation, title to
12 such portions of the Winfield state hospital and training center property to
13 the department of corrections and the Kansas commission on veterans
14 affairs *office*, respectively. The conveyance prescribed by this section shall
15 not be subject to the provisions of K.S.A. 75-3043a, and amendments
16 thereto.

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

21 (1) The Southwest Quarter of Section 14, Township 32 South, Range
22 4 East of the 6th P.M., Cowley County, Kansas;

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

25 (3) Part of the Northwest Quarter of Section 15, Township 32 South,
26 Range 4 East of the 6th P.M., that lies East of the Centerline of Timber
27 Creek, and described as follows: Commencing at the Northeast corner of
28 said Quarter Section; Thence West along the North line of said Quarter
29 Section to the center of the Channel of Timber Creek; Thence Southerly
30 down the center of the channel of said creek (following the meanderings
31 thereof) to the South line of said Quarter Section; Thence East along the
32 South line of said Quarter Section to the Southeast Corner of said Quarter
33 Section; Thence North along the East line of said Quarter Section to the
34 Point of Beginning.

35 ~~Sec. 36.~~ **35.** K.S.A. 2013 Supp. 75-4362 is hereby amended to read as
36 follows: 75-4362. (a) The director of the division of personnel services of
37 the department of administration shall have the authority to establish and
38 implement a drug screening program for persons taking office as governor,
39 lieutenant governor, attorney general or members of the Kansas senate or
40 house of representatives and for applicants for safety sensitive positions in
41 state government, but no applicant for a safety sensitive position shall be
42 required to submit to a test as a part of this program unless the applicant is
43 first given a conditional offer of employment.

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

5 (1) The office of governor, lieutenant governor or attorney general;

6 (2) members of the Kansas senate or house of representatives;

7 (3) any safety sensitive position;

8 (4) any position in an institution of mental health, as defined in
9 K.S.A. 76-12a01, and amendments thereto, that is not a safety sensitive
10 position;

11 (5) any position in the Kansas state school for the blind, as
12 established under K.S.A. 76-1101 et seq., and amendments thereto;

13 (6) any position in the Kansas state school for the deaf, as established
14 under K.S.A. 76-1001 et seq., and amendments thereto; or

15 (7) any employee of a state veteran's home operated by the *director*
16 *of the* Kansas commission on ~~veteran's~~ *veterans* affairs *office* as described
17 in K.S.A. 76-1901 et seq. and K.S.A. 76-1951 et seq., and amendments
18 thereto.

19 (c) Any public announcement or advertisement soliciting applications
20 for employment in a safety sensitive position in state government shall
21 include a statement of the requirements of the drug screening program
22 established under this section for applicants for and employees holding a
23 safety sensitive position.

24 (d) Except for a person who has access to a secured biological
25 laboratory in the office of laboratory services of the department of health
26 and environment, no person shall be terminated solely due to positive
27 results of a test administered as a part of a program authorized by this
28 section if:

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

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

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

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

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

43 (1) All state law enforcement officers who are authorized to carry

1 firearms;

2 (2) all state corrections officers;

3 (3) all state parole officers;

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

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

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

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

15 (8) all employees who have access to a secured biological laboratory
16 in the office of laboratory services of the department of health and
17 environment.

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

27 (b) Subject to any restrictions imposed by appropriation acts, the
28 juvenile justice authority is authorized to pledge funds appropriated to it
29 from the state institutions building fund or from any other source and
30 transferred to a special revenue fund of the juvenile justice authority
31 specified by statute for the payment of debt service on revenue bonds
32 issued for the purposes set forth in subsection (a). Subject to any
33 restrictions imposed by appropriation acts, the juvenile justice authority is
34 also authorized to pledge any funds appropriated to it from the state
35 institutions building fund or from any other source and transferred to a
36 special revenue fund of the juvenile justice authority specified by statute as
37 a priority for the payment of debt service on such revenue bonds. Neither
38 the state or the juvenile justice authority shall have the power to pledge the
39 faith and credit or taxing power of the state of Kansas for such purposes
40 and any payment by the juvenile justice authority for such purposes shall
41 be subject to and dependent on appropriations being made from time to
42 time by the legislature. Any obligation of the juvenile justice authority for
43 payment of debt service on revenue bonds and any such revenue bonds

1 issued for the purposes set forth in subsection (a) shall not be considered a
2 debt or obligation of the state for the purpose of section 6 of article 11 of
3 the constitution of the state of Kansas.

4 (c) Subject to any restrictions imposed by appropriation acts, the
5 ~~department of social and rehabilitation~~ *Kansas department for aging and*
6 *disability* services is authorized to pledge funds appropriated to it from the
7 state institutions building fund or from any other source and transferred to
8 a special revenue fund of the ~~department of social and rehabilitation~~
9 *Kansas department for aging and disability* services specified by statute
10 for the payment of debt service on revenue bonds issued for a new state
11 security hospital on the Larned state hospital grounds or any other capital
12 improvement projects at any other institution or facility of the ~~department~~
13 ~~of social and rehabilitation~~ *Kansas department for aging and disability*
14 services. Subject to any restrictions imposed by appropriation acts, the
15 ~~department of social and rehabilitation~~ *Kansas department for aging and*
16 *disability* services is also authorized to pledge any funds appropriated to it
17 from the state institutions building fund or from any other source and
18 transferred to a special revenue fund of the ~~department of social and~~
19 ~~rehabilitation~~ *Kansas department for aging and disability* services
20 specified by statute as a priority for the payment of debt service on such
21 revenue bonds. Neither the state or the ~~department of social and~~
22 ~~rehabilitation~~ *Kansas department for aging and disability* services shall
23 have the power to pledge the faith and credit or taxing power of the state
24 of Kansas for such purposes and any payment by the ~~department of social~~
25 ~~and rehabilitation~~ *Kansas department for aging and disability* services 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
28 ~~department of social and rehabilitation~~ *Kansas department for aging and*
29 *disability* services for payment of debt service on revenue bonds and any
30 such revenue bonds issued for a new state security hospital on the Larned
31 state hospital grounds or any other capital improvement projects at any
32 other institution or facility of the ~~department of social and rehabilitation~~
33 *Kansas department for aging and disability* services shall not be
34 considered a debt or obligation of the state for the purpose of section 6 of
35 article 11 of the constitution of the state of Kansas.

36 (d) Subject to any restrictions imposed by appropriation acts, the
37 *director of the* Kansas commission on veterans affairs *office* is authorized
38 to pledge funds appropriated to it from the state institutions building fund
39 or from any other source and transferred to a special revenue fund of the
40 Kansas commission on veterans affairs *office* specified by statute for the
41 payment of debt service on revenue bonds issued for veterans' home
42 HVAC system replacement. Subject to any restrictions imposed by
43 appropriation acts, the *director of the* Kansas commission on veterans

1 affairs *office* is also authorized to pledge any funds appropriated to it from
2 the state institutions building fund or from any other source and transferred
3 to a special revenue fund of the Kansas commission on veterans affairs
4 *office* specified by statute as a priority for the payment of debt service on
5 such revenue bonds. Neither the state ~~or~~ *nor* the *director of the* Kansas
6 commission on veterans affairs *office* shall have the power to pledge the
7 faith and credit or taxing power of the state of Kansas for such purposes
8 and any payment by the Kansas commission on veterans affairs *office* for
9 such purposes shall be subject to and dependent on appropriations being
10 made from time to time by the legislature. Any obligation of the Kansas
11 commission on veterans affairs *office* for payment of debt service on
12 revenue bonds and any such revenue bonds issued for veterans' home
13 HVAC system replacement shall not be considered a debt or obligation of
14 the state for the purpose of section 6 of article 11 of the constitution of the
15 state of Kansas.

16 Sec. ~~38~~ 37. K.S.A. 76-1904 is hereby amended to read as follows:
17 76-1904. (a) The *director of the* Kansas commission on veterans affairs
18 *office* shall have full control of the Kansas soldiers' home, the property,
19 effects, supervision and management thereof.

20 (b) ~~A superintendent of the Kansas soldiers' home shall be appointed~~
21 ~~by the Kansas commission on veterans affairs, and shall serve at the~~
22 ~~pleasure of the commission. The superintendent shall be in the unclassified~~
23 ~~service under the Kansas civil service act and shall receive an annual~~
24 ~~salary fixed by the Kansas commission on veterans affairs, with the~~
25 ~~approval of the governor. The superintendent of the Kansas soldiers' home~~
26 ~~shall perform such duties and exercise such powers as the commission~~
27 ~~may prescribe, and such duties and powers as are prescribed by law~~ *A*
28 *superintendent of the Kansas soldiers' home shall be appointed by the*
29 *director of the Kansas commission on veterans affairs office in accordance*
30 *with K.S.A. 73-1210a.*

31 Sec. ~~39~~ 38. K.S.A. 76-1904a is hereby amended to read as follows:
32 76-1904a. The *director of the* Kansas ~~veterans'~~ *commission on veterans*
33 *affairs office* shall establish rates of charges to be made to members and
34 patients of the Kansas soldiers' home. Such charges shall not exceed an
35 amount equal to the per diem cost of care for the preceding year or the
36 charge made against patients under K.S.A. 59-2006, and amendments
37 thereto, whichever is the smaller. No action shall be commenced by the
38 *director of the* Kansas ~~veterans'~~ *commission on veterans affairs office*
39 against a member or patient or the estate of a member or patient for the
40 recovery of any such charges unless such action is commenced within five
41 ~~(5)~~ years after the date such charges are incurred. Such ~~commission~~
42 *director* may compromise and settle any claim for charges hereunder, and
43 may, upon payment of a valuable consideration by the member or patient

1 or his or her estate, discharge and release such member, patient or estate of
2 any or all past liability incurred hereunder. Whenever the ~~commission-~~
3 *director* shall negotiate a compromise agreement to settle any claim due or
4 claim to be due from a member or a patient or his or her estate, no action
5 shall thereafter be brought or claim made for any amounts due for charges
6 incurred prior to the effective date of the agreement entered into, except
7 for the amounts provided for in the agreement. Nothing in this act shall be
8 deemed to extend the period specified in K.S.A. 59-2239, *and*
9 *amendments thereto*, for the purposes therein specified.

10 Sec. ~~40.~~ **39.** K.S.A. 2013 Supp. 76-1906 is hereby amended to read as
11 follows: 76-1906. The superintendent of the Kansas soldiers' home shall
12 remit all moneys received by or for the superintendent under article 19 of
13 chapter 76 of *the* Kansas Statutes Annotated, and amendments thereto, and
14 all moneys received from the United States veterans administration for
15 reimbursements for the care of residents to the state treasurer in
16 accordance with the provisions of K.S.A. 75-4215, and amendments
17 thereto. Upon receipt of each such remittance, the state treasurer shall
18 deposit the entire amount in the state treasury to the credit of the soldiers'
19 home fee fund. All expenditures from such fund shall be made in
20 accordance with appropriation acts upon warrants of the director of
21 accounts and reports issued pursuant to vouchers approved by the director
22 of the Kansas ~~veterans'~~ *commission on veterans affairs office* or by a
23 person or persons designated by the director.

24 Sec. ~~41.~~ **40.** K.S.A. 76-1908 is hereby amended to read as follows:
25 76-1908. (a) The following, subject to the rules and regulations that may
26 be adopted by the *director of the* Kansas commission on veterans affairs
27 *office* for the management and government of the Kansas soldiers' home,
28 shall be eligible to admission to the Kansas soldiers' home:

29 (1) Any person who served in the active military service of the
30 United States during any period of war, or who served in the active
31 military service of the United States during peacetime and is entitled to
32 veterans administration hospitalization or domiciliary care under title 38,
33 United States code and veterans administration rules and regulations, and
34 who has been discharged or relieved therefrom under conditions other than
35 dishonorable, who may be disabled by disease, wounds, old age or
36 otherwise disabled, and who, by reason of such disability, is incapacitated
37 from earning a living.

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

42 (b) No person shall be admitted to the soldiers' home except upon
43 application to the *Kansas commission on veterans affairs office* and

1 approval of the application by the ~~commission~~ *director*. No applicant shall
2 be admitted to the soldiers' home who has not been an actual resident of
3 the state of Kansas for at least two years next preceding the date of
4 application.

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

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

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

15 (f) The *director of the* Kansas commission on veterans affairs *office*
16 shall have authority by resolution to discharge any member from the
17 soldiers' home on a showing that the member has gained admittance into
18 the soldiers' home by misrepresentation of the member's financial or
19 physical condition, or a showing that the financial or physical condition of
20 such member has been so altered since admittance so that the further
21 maintenance of the member in the soldiers' home is not justified. No such
22 member shall be discharged without notice and opportunity to be heard in
23 accordance with the provisions of the Kansas administrative procedure act.

24 (g) The rules and regulations for admission of members to the Kansas
25 soldiers' home: (1) Shall require that a veteran who has no adequate means
26 of support, and such members of the family as are dependent upon such
27 person for support, shall be given priority over other applicants for
28 admission; and (2) shall require that an applicant for admission be given
29 priority over patients transferred from state institutions under the
30 provisions of K.S.A. 76-1936, and amendments thereto.

31 ~~Sec. 42.~~ **41.** K.S.A. 76-1927 is hereby amended to read as follows:
32 76-1927. The *director of the* Kansas ~~veterans'~~ *commission on veterans*
33 *affairs office* shall have the authority to establish rules and regulations for
34 the management and operation of the Kansas soldiers' home and governing
35 conduct and discipline of the members of and other persons in the Kansas
36 soldiers' home. Such rules and regulations shall be filed with the secretary
37 of state as provided by law.

38 ~~Sec. 42.~~ **42.** K.S.A. 76-1928 is hereby amended to read as follows:
39 76-1928. The *director of the* Kansas commission on veterans affairs *office*
40 *or the* superintendent of the Kansas soldiers' home shall enforce such rules
41 and regulations and ~~he or she~~ may furlough any member for violation of
42 such rules.

43 ~~Sec. 44.~~ **43.** K.S.A. 76-1929 is hereby amended to read as follows:

1 76-1929. The *director of the Kansas veterans' commission on veterans*
2 *affairs office* may discharge any member who violates such rules and
3 regulations, except that no member shall be discharged without notice to
4 such member and a right to be heard concerning such charges in
5 accordance with the provisions of the Kansas administrative procedure act.

6 Sec. ~~45~~ 44. K.S.A. 76-1931 is hereby amended to read as follows:
7 76-1931. If any member of such soldiers' home shall refuse to vacate the
8 premises upon receiving a furlough from the officers designated to enforce
9 the rules and regulations, such refusal shall constitute a forfeiture of ~~his or~~
10 ~~her~~ *such person's* right to remain in the home and such member shall be
11 forthwith discharged by the *director of the Kansas veterans' commission*
12 *on veterans affairs office*.

13 Sec. ~~46~~ 45. K.S.A. 76-1932 is hereby amended to read as follows:
14 76-1932. If any member shall refuse to vacate the premises upon being
15 discharged by the *director of the Kansas veterans' commission on veterans*
16 *affairs office*, such member shall ~~forthwith~~ forfeit ~~his or her~~ *such member's*
17 right to subsistence and rations for ~~himself or herself~~ *the member and the*
18 *member's* dependents, if any, and the *director of the Kansas veterans'*
19 *commission on veterans affairs office* shall institute legal proceedings to
20 force such member to vacate the premises.

21 Sec. ~~47~~ 46. K.S.A. 76-1935 is hereby amended to read as follows:
22 76-1935. The *director of the Kansas veterans' commission on veterans*
23 *affairs office* shall designate a person at the Kansas soldiers' home who
24 shall be in charge of the member funds at such soldiers' home. The person
25 so designated shall have custody and charge of all moneys belonging to the
26 members, or persons attending the Kansas soldiers' home, which are held
27 for their use, benefit and burial. ~~Said~~ *The director of the Kansas veterans'*
28 *commission on veterans affairs office* shall designate the bank or banks, in
29 which such moneys shall be deposited, ~~and shall provide that any sums in~~
30 ~~excess of five thousand dollars (\$5,000) shall be deposited with the state~~
31 ~~treasurer for safekeeping. Any fund so deposited with the state treasurer~~
32 ~~shall be held by him or her, separate and apart from the other funds in his~~
33 ~~or her custody, and may be withdrawn by the person designated by said~~
34 ~~Kansas veterans' commission.~~

35 Sec. ~~48~~ 47. K.S.A. 76-1935a is hereby amended to read as follows:
36 76-1935a. The custodian of the members and patients trust fund at the
37 Kansas soldiers' home shall notify the ~~executive~~ director of the Kansas
38 ~~veterans'~~ *commission on veterans affairs office* of any moneys which are
39 under the custodian's charge belonging to members who have died
40 intestate, without known heirs or designated beneficiaries for funds on
41 deposit, and the ~~executive~~ director shall publish a notice for two
42 consecutive weeks in the Kansas register which shall state the name of
43 each deceased member, their last known home address and the amount of

1 the deposit remaining in the account of such former member; and such
2 notice shall further state that unless interested persons appear and file a
3 legitimate claim—~~therefor~~ within one year after the date of the last
4 publication of such notice,—~~said~~ *such* amount or amounts will be
5 transferred to the general fees fund of the soldiers' home to help defray
6 unrecovered costs connected with the maintenance and operation of the
7 soldiers' home and for accounting, auditing, budgeting, legal, payroll,
8 personnel and purchasing services which are performed on behalf of such
9 agency by other state agencies.

10 Unless a party entitled thereto shall make claim within the time stated
11 in the notice, the balance in any former member's fund as so published for
12 which no claim is made as prescribed herein shall be transferred as
13 hereinabove provided. Thereafter, unless a claim is filed with the ~~veterans'~~
14 *director of the Kansas commission on veterans affairs office* within two
15 years after such transfer is made, no claim may be made or filed for such
16 former member's fund, except that a person under legal disability during
17 the two-year period may file a claim within one year after removal of the
18 disability. The ~~veterans'~~ *director of the Kansas commission on veterans*
19 *affairs office* is hereby authorized to make payments to claimants it shall
20 determine are entitled thereto, if such claims otherwise comply with the
21 terms of this act; and such payments shall be authorized from the general
22 fees fund of the Kansas soldiers' home to which the former members funds
23 were transferred.

24 ~~Sec. 49.~~ **48.** K.S.A. 76-1936 is hereby amended to read as follows:
25 76-1936. (a) The commissioner of mental health and developmental
26 disabilities of the ~~department of social and rehabilitation~~ *Kansas*
27 *department for aging and disability* services, with the approval of the
28 secretary of ~~social and rehabilitation~~ *for aging and disability* services and
29 the *director of the Kansas* ~~veterans'~~ *commission on veterans affairs office,*
30 may transfer patients in the state hospitals at Topeka, Osawatomie and
31 Larned and patients in the Rainbow mental health facility, the Parsons state
32 hospital and training center and the Winfield state hospital and training
33 center who have served in the military or naval forces of the United States
34 or whose husband, wife, father, son or daughter has served in the active
35 military or naval service of the United States during any period of any war
36 as defined in K.S.A. 76-1908, *and amendments thereto,* and *who* was
37 discharged or relieved therefrom under conditions other than dishonorable,
38 to the Kansas soldiers' home. No patient who is such a mentally ill person,
39 in the opinion of the commissioner of mental health and developmental
40 disabilities, that because of such patient's illness such patient is likely to
41 injure himself or others, shall be so transferred to such Kansas soldiers'
42 home, and no such patient shall be so transferred if such transfer will deny
43 admission to persons entitled to admission under K.S.A. 76-1908, *and*

1 *amendments thereto*, and rules and regulations promulgated thereunder.
2 Persons so transferred shall not be considered as members of the Kansas
3 soldiers' home but shall be considered as patients therein.

4 (b) All of the laws, rules and regulations relating to patients in the
5 above-specified state hospitals and mental health facility shall be
6 applicable to such patients so transferred insofar as the same can be made
7 applicable. Any patient so transferred who is found to be or shall become
8 such a mentally ill person, in the opinion of the commissioner of mental
9 health and developmental disabilities, that because of such patient's illness
10 such patient is likely to injure himself or others or who is determined to
11 need additional psychiatric treatment, shall be retransferred by the
12 superintendent of the Kansas soldiers' home, with the approval of the
13 commissioner of mental health and developmental disabilities *and the*
14 *director of the Kansas commission on veterans affairs office*, to the
15 institution from whence the patient was originally transferred.

16 Sec. ~~50~~ 49. K.S.A. 2013 Supp. 76-1939 is hereby amended to read as
17 follows: 76-1939. The Kansas ~~veterans'~~ *commission on veterans affairs*
18 *office* shall not engage in farming operations on the farm land which are
19 part of the lands of the Kansas soldiers' home except that the *Kansas*
20 *commission on veterans affairs office* may engage in and permit vegetable
21 gardening on a portion of such lands. All such farm lands not needed or
22 used for vegetable gardening shall be rented or leased, for a period not to
23 exceed five years, by the *Kansas commission on veterans affairs office*,
24 except that if the Kansas state university of agriculture and applied science
25 shall request that such lands be rented or leased to it for agricultural
26 experimental purposes, it shall be given preference when such lands are
27 rented or leased. Any such rental or lease agreement shall not include any
28 buildings or improvements other than irrigation pumps and facilities. All
29 moneys derived from the lease or rental of such farm lands shall be
30 remitted to the state treasurer in accordance with the provisions of K.S.A.
31 75-4215, and amendments thereto. Upon receipt of each such remittance,
32 the state treasurer shall deposit the entire amount in the state treasury to
33 the credit of the Kansas soldiers' home and Mother Bickerdyke annex fee
34 fund for the use of such soldiers' home.

35 Sec. ~~51~~ 50. K.S.A. 76-1941 is hereby amended to read as follows:
36 76-1941. (a) The *director of the Kansas commission on ~~veterans'~~ affairs*
37 *office* may enter into a written contract with any individual who is eligible
38 for admission to the Kansas soldiers' home under K.S.A. 76-1908, and
39 amendments thereto, to authorize the construction of a single-family
40 dwelling for use as a home for such individual and such individual's family
41 members on the real property of the Kansas soldiers' home in accordance
42 with rules and regulations adopted by the *director of the Kansas*
43 *commission on veterans affairs office* under this section. Each such

1 dwelling shall be constructed and maintained: (1) At the expense of the
2 individual entering into a contract with the ~~commission~~ *director* under this
3 section, including any required sewer, water and utility connections; (2) at
4 a location on the real property of the Kansas soldiers' home approved in
5 accordance with rules and regulations adopted by the ~~commission~~ *director*
6 under this section; and (3) in accordance with the building design,
7 construction and materials standards as authorized or prescribed by rules
8 and regulations adopted by the ~~commission~~ *director* under this section.

9 (b) The *director of the* Kansas commission on veterans affairs *office*
10 shall grant a life estate to each individual who enters into a contract under
11 this section and who constructs a dwelling at the Kansas soldiers' home in
12 accordance with this section and the rules and regulations adopted by the
13 ~~commission~~ *director* under this section. The life estate shall be for the
14 dwelling and the tract of real property that the dwelling is constructed on,
15 as specified in the contract entered into under this section, for the life of
16 the individual and the lives of such individual's family members who are
17 residing in the dwelling. Each life estate granted by the ~~commission~~
18 *director* under this section shall be approved as to form and legality by the
19 attorney general.

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

25 (d) The *director of the* Kansas commission on veterans affairs *office*
26 shall adopt rules and regulations prescribing policies and procedures for
27 the construction and maintenance of single-family dwellings on the real
28 estate of Kansas soldiers' home, prescribing building design, construction
29 and materials standards for such dwellings, and for such other matters as
30 may be required for the implementation and administration of this section.
31 No rule and regulation shall be adopted by the *director of the* Kansas
32 commission on veterans affairs *office* under this subsection unless the
33 *director of the* Kansas commission on veterans affairs *office* first has
34 advised and consulted with the joint committee on state building
35 construction and has presented such proposed rule and regulation to the
36 joint committee on state building construction.

37 (e) As used in this section, "family members" includes the spouse of
38 an individual who has entered into a contract under this section, the widow
39 or widower of an individual who has entered into a contract under this
40 section, and the mother, father or minor child of an individual who has
41 entered into a contract under this section, if such mother, father or minor
42 child is incapable of self-support because of physical disability.

43 Sec. ~~52~~ 51. K.S.A. 76-1951 is hereby amended to read as follows:

1 76-1951. (a) On and after January 1, 1998, the Kansas commission on
2 veterans affairs *office* shall operate a Kansas veterans' home to be located
3 on the grounds of Winfield state hospital and training center. The *director*
4 *of the Kansas* commission on veterans affairs *office* and the secretary ~~of~~
5 ~~social and rehabilitation~~ for aging and disability services shall enter into
6 an agreement concerning property, premises, facilities, installations,
7 equipment and records of Winfield state hospital and training center which
8 will be transferred to the *director of the* Kansas commission on veterans
9 affairs *office* for the purpose of establishing and operating the Kansas
10 veterans' home. The agreement shall establish the timing of any such
11 transfers. Any conflict as to the proper disposition of property or records
12 arising under this section shall be determined by the governor, whose
13 decision shall be final.

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

17 (c) The *director of the* Kansas commission on veterans affairs *office*
18 may enter into an agreement with the United States department of veterans
19 affairs for the use and operation of the nursing care unit of the Wichita
20 veterans administration medical center in Wichita, Kansas, as a long-term
21 care unit of the Kansas veterans' home, which shall be known as the
22 Kansas veterans' home long-term care annex. The Kansas veterans' home
23 long-term care annex shall be operated as a part of the Kansas veterans'
24 home and shall be construed to be part of the Kansas veterans' home for all
25 purposes under statutes governing or referring to the Kansas veterans'
26 home.

27 ~~(d) A superintendent of the Kansas veterans' home shall be appointed~~
28 ~~by the Kansas commission on veterans affairs, and shall serve at the~~
29 ~~pleasure of the commission. The superintendent shall be in the unclassified~~
30 ~~service under the Kansas civil service act and shall receive an annual~~
31 ~~salary fixed by the Kansas commission on veterans affairs, with the~~
32 ~~approval of the governor. The superintendent of the Kansas veterans' home~~
33 ~~shall perform such duties and exercise such powers as the commission~~
34 ~~may prescribe, and such duties and powers as are prescribed by law. A~~
35 ~~superintendent of the Kansas veterans' home shall be appointed by the~~
36 ~~director of the Kansas commission on veterans affairs office in accordance~~
37 ~~with K.S.A. 73-1210a, and amendments thereto.~~

38 Sec. ~~52~~ 52. K.S.A. 76-1952 is hereby amended to read as follows:
39 76-1952. The *director of the* Kansas commission on veterans affairs *office*
40 shall establish rates of charges to be made to members and patients of the
41 Kansas veterans' home. The charges in the first year of operation of the
42 Kansas veterans' home shall not exceed an amount equal to the per diem
43 cost of care for the Kansas soldiers' home for the preceding year or the

1 charge made against patients under K.S.A. 59-2006, and amendments
2 thereto, whichever is less, and thereafter the charges shall not exceed an
3 amount equal to the per diem cost of care for the Kansas veterans' home
4 for the preceding year or the charge made against patients under K.S.A.
5 59-2006, and amendments thereto, whichever is the lesser amount. No
6 action shall be commenced by the *director of the* Kansas commission on
7 veterans affairs *office* against a member or patient or the estate of a
8 member or patient for the recovery of any such charges unless such action
9 is commenced within five years after the date such charges are incurred.
10 The ~~commission~~ *director of the Kansas commission on veterans affairs*
11 *office* may compromise and settle any claim for charges under this section,
12 and may, upon payment of a valuable consideration by the member or
13 patient or the estate of the member or patient, discharge and release such
14 member, patient or estate of any or all past liability incurred under this
15 section due or claim to be due from a member or a patient or the estate of
16 the member or patient, no action shall thereafter be brought or claim made
17 for any amounts due for charges incurred prior to the effective date of the
18 agreement entered into, except for the amounts provided for in the
19 agreement. Nothing in this act shall be deemed to extend the period
20 specified in K.S.A. 59-2239, and amendments thereto, for the purposes
21 therein specified.

22 Sec. ~~54~~ 53. K.S.A. 2013 Supp. 76-1953 is hereby amended to read as
23 follows: 76-1953. The superintendent of the Kansas veterans' home shall
24 remit all moneys received by or for the superintendent under this act and
25 all moneys received from the United States department of veterans affairs
26 for reimbursements for the care of residents to the state treasurer in
27 accordance with the provisions of K.S.A. 75-4215, and amendments
28 thereto. Upon receipt of each such remittance, the state treasurer shall
29 deposit the entire amount in the state treasury to the credit of the veterans'
30 home fee fund which is hereby created. All expenditures from such fund
31 shall be made in accordance with appropriation acts upon warrants of the
32 director of accounts and reports issued pursuant to vouchers approved by
33 the ~~executive~~ director of the Kansas commission on veterans affairs *office*
34 or by a person or persons designated by the ~~executive~~ director.

35 Sec. ~~55~~ 54. K.S.A. 76-1954 is hereby amended to read as follows:
36 76-1954. (a) The following, subject to the rules and regulations that may
37 be adopted by the *director of the* Kansas commission on veterans affairs
38 *office* for the management and government of the Kansas veterans' home,
39 shall be eligible to admission to the Kansas veterans' home:

40 (1) Any person who served in the active military service of the
41 United States during any period of war, or who served in the active
42 military service of the United States during peacetime and is entitled to
43 veterans affairs hospitalization or domiciliary care under title 38 of the

1 United States code and federal veterans affairs rules and regulations, and
2 who has been discharged or relieved therefrom under conditions other than
3 dishonorable, who may be disabled by disease, wounds, old age or
4 otherwise disabled, and who, by reason of such disability, is incapacitated
5 from earning a living; and

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

10 (b) No person shall be admitted to the veterans' home except upon
11 application to the *Kansas commission on veterans affairs office* and
12 approval of the application by the *director of the Kansas commission on*
13 *veterans affairs office*. No applicant shall be admitted to the veterans'
14 home who has not been an actual resident of the state of Kansas for at least
15 two years next preceding the date of application.

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

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

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

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

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

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

41 (2) shall require that an applicant for admission be given priority over
42 patients transferred from state institutions under the provisions of K.S.A.
43 76-1958, and amendments thereto.

1 Sec. ~~56~~ 55. K.S.A. 76-1955 is hereby amended to read as follows:
2 76-1955. (a) The *director of the* Kansas commission on veterans affairs
3 *office* shall have the authority to establish rules and regulations for the
4 management and operation of the Kansas veterans' home and governing
5 conduct and discipline of the members of and other persons in the Kansas
6 veterans' home. Such rules and regulations shall be filed with the secretary
7 of state as provided by law.

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

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

16 (d) If any member shall seek an injunction or restraining order to
17 restrain the *director of the* Kansas commission on veterans affairs *office* or
18 the officers of such Kansas veterans' home from enforcing such rules and
19 regulations or to restrain disciplinary action, during the pendency of such
20 legal proceedings, such member and the member's dependents, if any, shall
21 not be entitled to draw subsistence or rations as provided for by such
22 home.

23 (e) If any member of such veterans' home shall refuse to vacate the
24 premises upon receiving a furlough from the officers designated to enforce
25 the rules and regulations, such refusal shall constitute a forfeiture of such
26 member's right to remain in the home and such member shall be forthwith
27 discharged by the *director of the* Kansas commission on veterans affairs
28 *office*.

29 (f) If any member shall refuse to vacate the premises upon being
30 discharged by the *director of the* Kansas commission on veterans affairs
31 *office*, such member shall forthwith forfeit the member's right to
32 subsistence and rations for such member and dependents, if any, and the
33 *director of the* Kansas commission on veterans affairs *office* shall institute
34 legal proceedings to force such member to vacate the premises.

35 (g) The word "member" as used in this act shall refer to any person
36 legally admitted as a member or any dependent of such member, or any
37 person drawing subsistence or quarters in the Kansas veterans' home for
38 any reason whatsoever, except the employees of such veterans' home. The
39 word "member" shall not include any person transferred to the veterans'
40 home from any state hospital or training school.

41 Sec. ~~57~~ 56. K.S.A. 76-1956 is hereby amended to read as follows:
42 76-1956. The *director of the* Kansas commission on veterans affairs *office*
43 shall designate a person at the Kansas veterans' home who shall be in

1 charge of the member funds at such veterans' home. The person so
2 designated shall have custody and charge of all moneys belonging to the
3 members, or patients residing in the Kansas veterans' home, which are held
4 for their use, benefit and burial. The *director of the* Kansas commission on
5 veterans affairs *office* shall designate the bank or banks, in which such
6 moneys shall be deposited, ~~and shall provide that any sums in excess of~~
7 ~~\$5,000 shall be deposited with the state treasurer for safekeeping. Any~~
8 ~~fund so deposited with the state treasurer shall be held by the state~~
9 ~~treasurer, separate and apart from the other funds in the custody of the~~
10 ~~state treasurer, and may be withdrawn by the person designated by the~~
11 ~~Kansas commission on veterans affairs.~~

12 Sec. ~~58~~ 57. K.S.A. 76-1957 is hereby amended to read as follows:
13 76-1957. (a) The custodian of the members and patients trust fund at the
14 Kansas veterans' home shall notify the ~~executive~~ director of the Kansas
15 commission on veterans affairs *office* of any moneys which are under the
16 custodian's charge belonging to members who have died intestate, without
17 known heirs or designated beneficiaries for funds on deposit, and the
18 ~~executive~~ director shall publish a notice for two consecutive weeks in the
19 Kansas register which shall state the name of each deceased member, their
20 last known home address and the amount of the deposit remaining in the
21 account of such former member; and such notice shall further state that
22 unless interested persons appear and file a legitimate claim therefor within
23 one year after the date of the last publication of such notice, such amount
24 or amounts will be transferred to the general fees fund of the veterans'
25 home to help defray unrecovered costs connected with the maintenance
26 and operation of the veterans' home and for accounting, auditing,
27 budgeting, legal, payroll, personnel and purchasing services which are
28 performed on behalf of such agency by other state agencies.

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

42 Sec. ~~59~~ 58. K.S.A. 76-1958 is hereby amended to read as follows:
43 76-1958. (a) The commissioner of mental health and developmental

1 disabilities of the ~~department of social and rehabilitation~~ *Kansas*
2 *department for aging and disability* services, with the approval of the
3 ~~secretary of social and rehabilitation for aging and disability~~ services and
4 the *director of the Kansas commission on veterans affairs office*, may
5 transfer patients in the state hospitals in Topeka, Osawatomie and Larned
6 and patients in the Rainbow mental health facility, the Parsons state
7 hospital and training center and the Winfield state hospital and training
8 center who have served in the military or naval forces of the United States
9 or whose husband, wife, father, son or daughter has served in the active
10 military or naval service of the United States during any period of any war
11 as defined in K.S.A. 76-1954, and amendments thereto, and was
12 discharged or relieved therefrom under conditions other than dishonorable,
13 to the Kansas veterans' home. No patient who is such a mentally ill person,
14 in the opinion of the commissioner of mental health and developmental
15 disabilities, that because of such patient's illness such patient is likely to
16 injure oneself or others shall be so transferred to such Kansas veterans'
17 home, and no such patient shall be so transferred if such transfer will deny
18 admission to persons entitled to admission under K.S.A. 76-1954, and
19 amendments thereto, and rules and regulations promulgated thereunder.
20 Persons so transferred shall not be considered as members of the Kansas
21 veterans' home but shall be considered as patients therein.

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

34 ~~Sec. 60.~~ **59.** K.S.A. 2013 Supp. 79-3221k is hereby amended to read
35 as follows: 79-3221k. (a) For all tax years commencing after December
36 31, 2011, each Kansas state individual income tax return form shall
37 contain a designation as follows:

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

41 (b) The director of taxation of the department of revenue shall
42 determine annually the total amount designated for contribution to the
43 Kansas hometown heroes fund pursuant to subsection (a) and shall report

1 such amount to the state treasurer who shall credit the entire amount
2 thereof to the Kansas hometown heroes fund which fund is hereby
3 established in the state treasury. All moneys deposited in such fund shall
4 be used solely for the purpose of funding the continued operations of the
5 veteran services program of the Kansas commission on veterans affairs
6 *office*. In the case where donations are made pursuant to subsection (a), the
7 director shall remit the entire amount thereof to the state treasurer in
8 accordance with the provisions of K.S.A. 75-4215, and amendments
9 thereto. Upon receipt of such remittance, the state treasurer shall deposit
10 the entire amount in the state treasury to the credit of such fund. All
11 expenditures from such fund shall be made in accordance with
12 appropriation acts upon warrants of the director of accounts and reports
13 issued pursuant to vouchers approved by the ~~executive~~ director of the
14 Kansas commission on veterans affairs *office*.

15 ~~Sec. 61.~~ **60.** K.S.A. 73-209, 73-210, 73-1207, 73-1208b, 73-1208c,
16 73-1211, 73-1220, 73-1222, 73-1223, 73-1224, 73-1225, 73-1226, 73-
17 1227, 73-1229, 73-1230, 73-1231, 73-1232, 76-1904, 76-1904a, 76-1908,
18 76-1927, 76-1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-
19 1936, 76-1941, 76-1951, 76-1952, 76-1954, 76-1955, 76-1956, 76-1957
20 and 76-1958; K.S.A. 2012 Supp. 74-2012, as amended by section 3 of
21 chapter 74 of the 2013 Session Laws of Kansas and K.S.A. 2013 Supp. 39-
22 923, 65-1732, 65-2418, 73-1208a, 73-1209, 73-1210a, 73-1217, 73-1218,
23 73-1219, 73-1233, 73-1234, 73-1235, 73-1236, 73-1238, 73-1239, 73-
24 1241, 73-1242, 73-1243, 75-3370, 75-4362, 76-6b05, 76-1906, 76-1939,
25 76-1953 and 79-3221k are hereby repealed.

26 ~~Sec. 62.~~ **61.** This act shall take effect and be in force from and after
27 its publication in the statute book.