

HOUSE BILL No. 2318

By Representative Stogsdill

2-8

1 AN ACT concerning arts industries; creating the Kansas arts commission
2 and transferring to it certain functions from the Kansas creative arts
3 industries commission; amending K.S.A. 2016 Supp. 8-1,161, 74-5207,
4 74-5209, 74-7901, 75-2269, 75-5072 and 79-3221m and repealing the
5 existing sections.
6

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

8 New Section 1. (a) There is hereby created a Kansas arts commission,
9 which shall be composed of 16 members. The members of the commission
10 shall include: Three members appointed by the president of the senate; one
11 member appointed by the minority leader of the senate; three members
12 appointed by the speaker of the house of representatives; one member
13 appointed by the minority leader of the house of representatives; four
14 members appointed by the governor; and four members representing the
15 art industry as follows: One representative from a private trade association
16 for art galleries representing art galleries in Kansas selected by the
17 governor; a representative from the university of Kansas school of the arts;
18 a representative from the Kansas state university department of art; and
19 one representative from the Nerman museum of contemporary art. Except
20 as provided by subsection (b), members shall be appointed for terms of
21 three years. Members may be reappointed to a term of three years.
22 Members may not serve more than two terms and are not eligible for
23 reappointment following the end of their second term of office. The
24 commission shall have a chairperson, vice-chairperson, and secretary-
25 treasurer, which officers shall be designated by the governor from the
26 membership of the commission. The commission shall meet upon call of
27 the chairperson, but at least once each quarter. Meetings may take place in
28 various locations across Kansas. Members of the Kansas arts commission
29 attending meetings of such commission, or attending a subcommittee
30 meeting thereof authorized by such commission, shall be paid
31 compensation, subsistence allowances, mileage and other expenses as
32 provided in K.S.A. 75-3223, and amendments thereto. Employment by the
33 state, or any instrumentality or subdivision of the state, shall not prevent
34 any person from accepting appointment to and serving on the commission.

35 (b) Of the members appointed for the initial appointments, four
36 members shall be appointed for terms of one year, four members shall be

1 appointed for terms of two years, and eight members shall be appointed
2 for terms of three years, including the four members representing the art
3 industry. Thereafter, members shall be appointed for terms of three years
4 and until successors are appointed and qualified.

5 (c) Nothing in this section shall be construed as prohibiting the
6 reappointment of members of the commission who had been appointed
7 prior to the effective date of this act.

8 New Sec. 2. (a) The Kansas arts commission shall be the official
9 agency of the state for the development and coordination of the arts within
10 the state.

11 (b) The commission shall support, coordinate, foster and develop the
12 arts and their practice within this state.

13 (c) The commission may develop a program or programs of
14 coordination consistent with the purposes of this act between the state and
15 any local subdivision of government within this state, private agencies,
16 organizations, associations, or with the United States or any agency or
17 instrumentality thereof. The commission shall fulfill all grant requirements
18 of the federal national endowment for the arts and shall take all steps
19 necessary to obtain and maintain such status with the national endowment
20 for the arts conferring full eligibility for national endowment for the arts
21 grant programs.

22 (d) The commission may accept funds, artifacts or property from any
23 person, corporation, association, or from the federal government, or any
24 agency or instrumentality thereof, or from any subdivision of government
25 of this state, for any purpose relating to the promotion or expansion of the
26 arts. Property or artifacts received may be sold, transferred, traded, loaned
27 or disposed of in any manner consistent with the purposes of this act and
28 any lawful conditions under which such property has been accepted and
29 received by the commission. The commission shall remit all moneys
30 received by or for it under this subsection to the state treasurer in
31 accordance with the provisions of K.S.A. 75-4215, and amendments
32 thereto. Upon receipt of each such remittance, the state treasurer shall
33 deposit the entire amount in the state treasury to the credit of the Kansas
34 arts commission gifts, grants and bequests fund, which is hereby created in
35 the state treasury.

36 (e) The commission may accept and receive funds, including funds
37 from the sale of property, real or personal, the acceptance of which is
38 subject to use for a purpose specified by the donor of such funds. The
39 commission shall remit all moneys received by or for it under this
40 subsection to the state treasurer in accordance with the provisions of
41 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
42 remittance, the state treasurer shall deposit the entire amount in the state
43 treasury to the credit of the Kansas arts commission special gifts fund,

1 which is hereby created in the state treasury. All moneys, funds and
2 accounts of the commission shall be subject to post audit under article 11
3 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.
4 Acceptance of real property by the commission for retention by it shall be
5 subject to ratification or rejection by the next succeeding session of the
6 legislature.

7 (f) The commission may enter into agreement with other states, or
8 with the United States or any agency or instrumentality thereof, having
9 duties or functions similar to the commission, or with private associations
10 or corporations, private or public colleges or universities, any public or
11 private school, individual persons, for any purpose consistent with the
12 objectives and purposes of this act.

13 (g) The commission may prepare, promulgate or publish advertising
14 and promotional books, pamphlets and materials consistent with the
15 purposes of this act, and shall prepare and publish reports or surveys
16 containing information relating to the arts and the activities of the
17 commission or other agencies, public or private, as may be requested by
18 the governor or the legislature.

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

32 (i) The commission may appoint an executive director who shall be in
33 the unclassified service under the Kansas civil service act and who shall
34 receive an annual salary fixed by the commission and approved by the
35 governor. The commission may appoint other necessary employees who
36 shall be in the unclassified service of the Kansas civil service act.

37 (j) There is hereby created in the state treasury the Kansas arts
38 commission general fund. Moneys appropriated to the fund by the
39 legislature shall be credited to the fund. All moneys deposited in the fund
40 shall be used solely for the purpose of funding the Kansas arts
41 commission. Subject to appropriation acts, moneys appropriated to the
42 fund by the legislature shall be sufficient to meet minimum financial
43 matching requirements of the national endowment for the arts.

1 (k) All expenditures of the commission shall be made in accordance
2 with appropriation acts upon warrants of the director of accounts and
3 reports issued pursuant to vouchers approved by the chairperson of the
4 commission or by a person or persons designated by the chairperson.

5 (l) The commission may do any and all other acts or things as may be
6 deemed necessary and convenient by the commission to foster and
7 promote the development of the arts in this state. The commission shall
8 take all acts within the power of the commission to obtain and maintain
9 minimum financial matching requirements of the national endowment for
10 the arts and to obtain and maintain membership in the mid-American arts
11 alliance.

12 (m) The attorney general shall furnish such legal services as may be
13 necessary upon receipt of a request from the commission, except that legal
14 services may be furnished by other counsel as the commission in its
15 discretion deems necessary and prudent.

16 New Sec. 3. (a) Except as otherwise provided by this act, all of the
17 powers, duties and functions of the existing Kansas creative arts industries
18 commission are hereby transferred to, conferred and imposed upon the
19 Kansas arts commission established by this act. The following functions
20 shall remain with the Kansas creative arts industries commission within
21 the department of commerce: Development of strategies on methods to
22 attract film-making enterprises to the state of Kansas; assistance to the
23 department of commerce division of business development in locating and
24 researching locations for possible use by the movie industry; assistance to
25 students in Kansas in developing film-making skills; provision of
26 assistance to movie personnel who utilize Kansas as a location for filming
27 as may be directed by the division; provision of support at official
28 hospitality functions for the film industry; participation in trade shows and
29 official functions pertaining to the film industry; and assistance in the
30 establishment of motion picture ventures and such related matters as the
31 division deems appropriate.

32 (b) Except as otherwise provided by this act or with respect to the
33 functions identified in subsection (a), the Kansas arts commission
34 established by this act shall be the successor in every way to the powers,
35 duties and functions of the Kansas creative arts industries commission in
36 which the same were vested prior to the effective date of this act. Every act
37 performed in the exercise of such powers, duties and functions by or under
38 the authority of the Kansas arts commission established by this act shall be
39 deemed to have the same force and effect as if performed by the Kansas
40 creative arts industries commission in which such powers, duties and
41 functions were vested prior to the effective date of this act.

42 (c) Except as otherwise provided by this act or with respect to the
43 functions identified in subsection (a), whenever the Kansas creative arts

1 industries commission, or words of like effect, are referred to or
2 designated by a statute, contract or other document, such reference or
3 designation shall be deemed to apply to the Kansas arts commission
4 established by this act.

5 (d) Except as otherwise provided by this act or with respect to the
6 functions identified in subsection (a), rules and regulations of the Kansas
7 creative arts industries commission in existence on the effective date of
8 this act shall continue to be effective and shall be deemed to be duly
9 adopted rules and regulations of the Kansas arts commission established
10 by this act, until revised, amended, revoked or nullified pursuant to law.

11 (e) Except as otherwise provided by this act or with respect to the
12 functions identified in subsection (a), orders and directives of the Kansas
13 creative arts industries commission in existence on the effective date of
14 this act shall continue to be effective and shall be deemed to be orders and
15 directives of the Kansas arts commission established by this act, until
16 revised, amended, revoked or nullified pursuant to law.

17 (f) Except as otherwise provided by this act or with respect to the
18 functions identified in subsection (a), on the effective date of this act, the
19 Kansas arts commission shall succeed to whatever right, title or interest
20 the Kansas creative arts industries commission has acquired in any real
21 property in this state, and the Kansas arts commission shall hold the same
22 for and in the name of the state of Kansas. On and after the effective date
23 of this act, whenever any statute, contract, deed or other document
24 concerns the power or authority of the Kansas creative arts industries
25 commission to acquire, hold or dispose of real property or any interest
26 therein, the Kansas arts commission shall succeed to such power or
27 authority.

28 (g) The Kansas arts commission established by this act shall be a
29 continuation of the Kansas creative arts industries commission, except for
30 functions related to film-making enterprises and the motion picture
31 industry as set forth in subsection (a).

32 (h) On the effective date of this act, all officers and employees who,
33 immediately prior to such date, were engaged in the performance of
34 powers, duties or functions of the Kansas creative industries commission
35 that are transferred by this act, and who, in the opinion of the executive
36 director of the Kansas arts commission, are necessary to perform the
37 powers, duties and functions of the Kansas arts commission, shall be
38 transferred to, and shall become officers and employees of the Kansas arts
39 commission.

40 (i) Officers and employees of the Kansas creative industries
41 commission transferred by this act shall retain all retirement benefits and
42 leave balances and rights that had accrued or vested prior to the date of
43 transfer. The service of each such officer and employee so transferred shall

1 be deemed to have been continuous. All transfers, layoffs or abolition of
2 classified service positions under the Kansas civil service act shall be
3 made in accordance with the civil service laws and any rule and regulation
4 adopted thereunder. Nothing in this act shall affect the classified status of
5 any transferred person employed by the Kansas creative arts industries
6 prior to the date of transfer.

7 (j) For the purposes of K.S.A. 12-2536, and amendments thereto, the
8 Kansas arts commission, instead of the Kansas creative arts industries
9 commission within the department of commerce, shall provide an
10 appointee to serve on the metropolitan culture commission.

11 Sec. 4. K.S.A. 2016 Supp. 8-1,161 is hereby amended to read as
12 follows: 8-1,161. (a) Any owner or lessee of one or more passenger
13 vehicles or trucks registered for a gross weight of not more than 20,000
14 pounds who is a resident of Kansas, upon compliance with the provisions
15 of this section, may be issued one support Kansas arts license plate for
16 each such passenger vehicle or truck. Such license plates shall be issued
17 for the same time as other license plates upon proper registration and
18 payment of the regular license fee as provided in K.S.A. 8-143, and
19 amendments thereto, and either the payment to the county treasurer of the
20 logo use royalty payment established by the commission or the
21 presentation of the annual logo use authorization statement provided for in
22 subsection (b).

23 (b) ~~The Kansas creative arts industries commission, created under~~
24 ~~K.S.A. 2016 Supp. 74-5207 section 1, and amendments thereto, may~~
25 authorize the use of their logo to be affixed on license plates as provided
26 by this section. Any royalty payment derived from this section shall be
27 credited to the ~~Kansas creative arts industries commission special gifts~~
28 ~~fund and shall be used in accordance with the provisions of K.S.A. 2016~~
29 ~~Supp. 74-5208 section 2, and amendments thereto. Any motor vehicle~~
30 owner or lessee may annually apply to the commission for the use of such
31 logo. Upon annual application and payment to either: (1) The commission
32 in an amount of not less than \$25 nor more than \$100 as a logo use royalty
33 payment for each license plate to be issued, the commission shall issue to
34 the motor vehicle owner or lessee, without further charge, a logo use
35 authorization statement, which shall be presented by the motor vehicle
36 owner or lessee at the time of registration; or (2) the county treasurer of
37 the logo use royalty payment for each license plate to be issued.

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

1 logo use royalty payment established by the commission. Application for
2 registration of a passenger vehicle or truck and issuance of the license
3 plate under this section shall be made by the owner or lessee in a manner
4 prescribed by the director of vehicles upon forms furnished by the director.

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

7 (e) The director of vehicles may transfer support Kansas arts license
8 plates from a leased vehicle to a purchased vehicle.

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

22 (g) The Kansas ~~creative arts industries~~ commission shall:

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

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

29 (h) The Kansas ~~creative arts industries~~ commission, with the approval
30 of the director of vehicles and subject to the availability of materials and
31 equipment, shall design a plate to be issued under the provisions of this
32 section.

33 (i) As a condition of receiving the support Kansas arts license plate
34 and any subsequent registration renewal of such plate, the applicant must
35 provide consent to the division authorizing the division's release of motor
36 vehicle record information, including the applicant's name, address,
37 royalty payment amount, plate number and vehicle type to the Kansas
38 ~~creative arts industries~~ commission.

39 (j) Annual royalty payments collected by county treasurers under this
40 section shall be remitted to the state treasurer in accordance with the
41 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
42 each such remittance the state treasurer shall deposit the entire amount in
43 the state treasury to the credit of the Kansas ~~creative arts industries~~

1 commission special gifts fund.

2 Sec. 5. K.S.A. 2016 Supp. 74-5207 is hereby amended to read as
3 follows: 74-5207. (a) There is hereby created within the department of
4 commerce the Kansas creative arts industries commission to measure,
5 promote, support and expand the ~~creative~~ *film and movie* industries to
6 drive the Kansas economy, grow jobs and enhance the quality of life for all
7 Kansans.

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

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

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

1 state, shall not prevent any person from accepting appointment to and
2 serving on the advisory board.

3 Sec. 6. K.S.A. 2016 Supp. 74-5209 is hereby amended to read as
4 follows: 74-5209. (a) The commission shall be the official agency of the
5 state for the development and coordination of the *film* arts within the state
6 and employment development in the ~~creative arts~~ *film and movie*
7 industries. The commission shall promote, support, coordinate, foster,
8 develop and measure the outcomes of ~~the~~ *such* arts, their practice and their
9 impact on employment development within this state and shall have the
10 power to:

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

13 (2) accept, on behalf of the state of Kansas, and expend any federal
14 funds granted by act of congress or by executive order for all or any
15 purpose of the commission, except that the commission may expend such
16 funds only upon appropriation by the legislature if the federal funds
17 require matching state contributions or capital outlay or create a
18 commitment for future state spending;

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

22 ~~(4) propose methods and processes to encourage private and public~~
23 ~~initiatives that recognize and enhance the role that the arts play in creative~~
24 ~~industries;~~

25 (5) prepare, promulgate or publish advertising and promotional
26 books, pamphlets and materials consistent with the purposes of this act,
27 and prepare and publish reports or surveys containing information relating
28 to ~~the arts~~ *film and movies* and the activities of the commission or other
29 agencies, public or private, as may be requested by the governor or the
30 legislature;

31 ~~(6) advise and consult with national foundations and other local, state~~
32 ~~and federal departments and agencies on methods by which to coordinate~~
33 ~~and assist existing resources and facilities to foster artistic and cultural~~
34 ~~endeavors toward the use of the arts, both nationally and internationally, in~~
35 ~~the best interest of Kansas;~~

36 (7) (5) enter into agreement with other states, or with the United
37 States or any agency or instrumentality thereof, having duties or functions
38 similar to the commission, or with private associations or corporations, or
39 with private or public colleges or universities, or with any public or private
40 school, or with individual persons for any purpose consistent with the
41 objectives and purposes of this act;

42 (8) (6) undertake any and all other acts or things as may be deemed
43 necessary and convenient by the commission to foster and promote the

- 1 development of the ~~arts~~ *film and movie industry* in this state;
- 2 ~~(9) (7)~~ promote employment development within the ~~creative~~ *film*
3 *and movie* industries; and
- 4 ~~(10) (8)~~ adopt rules and regulations as may be necessary to effectuate
5 the provisions of this act.
- 6 (b) The duties of the commission shall include:
- 7 (1) To stimulate and encourage throughout the state the study and
8 development of the ~~arts~~ *film and movie industry*, as well as public interest
9 and participation therein;
- 10 ~~(2) to take such steps as may be necessary and appropriate to~~
11 ~~encourage public interest in the cultural heritage of the state of Kansas and~~
12 ~~to expand the state's cultural resources;~~
- 13 ~~(3) to encourage and assist freedom of artistic expression essential for~~
14 ~~the well-being of the arts;~~
- 15 ~~(4) to assist the communities and organizations within the state in~~
16 ~~originating and creating their own cultural and artistic programs;~~
- 17 ~~(5) to make such surveys as may be deemed advisable of public and~~
18 ~~private institutions engaged within the state in artistic and cultural~~
19 ~~activities, including, but not limited to, humanities, music, theater, dance,~~
20 ~~painting, sculpture, photography, architecture and allied arts and crafts and~~
21 ~~to make recommendations concerning the appropriate methods to~~
22 ~~encourage participation in and appreciation of the arts in order to meet the~~
23 ~~legitimate needs and aspirations of persons in all parts of the state;~~
- 24 (6) to develop strategies on methods to attract film making enterprises
25 to the state of Kansas; assist the division of business development in the
26 locating and researching of locations for possible use by the movie
27 industry; assist students in Kansas in developing film making skills;
28 provide assistance to movie personnel who utilize Kansas as a location for
29 filming as may be directed by the division; provide support at official
30 hospitality functions for the film industry; participate in trade show and
31 official functions pertaining to the film industry; and assist in the
32 establishment of motion picture ventures and such related matters as the
33 commission deems appropriate;
- 34 ~~(7) to formulate, in cooperation with the state board of education,~~
35 ~~programs furthering the arts in education, including artists-in-residence~~
36 ~~programs. Such programs shall be designed to foster a greater~~
37 ~~understanding and knowledge of the arts, to utilize the arts as an~~
38 ~~intellectual stimulus, to utilize the arts as an aid in dealing with personal~~
39 ~~and social adjustment problems or learning disabilities and to facilitate and~~
40 ~~to improve other academic courses or programs by using the arts as an~~
41 ~~educational tool and medium. The commission shall disseminate~~
42 ~~information about such programs. Any board of education or the governing~~
43 ~~body of any other political subdivision, or any agent or employee thereof,~~

1 ~~may request information on such programs or request to participate in such~~
 2 ~~programs, and such board of education or governing body may implement~~
 3 ~~such programs with such political subdivision;~~

4 (8) (3) to develop metrics showing the impact of the *creative film and*
 5 *movie* industries on employment development; and

6 (9) (4) to submit a report of the commission's recommendations not
 7 later than February 1 of each calendar year to the governor, the secretary
 8 of commerce and the legislature.

9 (c) The department of commerce shall provide staff consisting of a
 10 director and other assistance as may be required by the commission in the
 11 performance of its duties. The secretary of revenue shall provide any
 12 datum relevant in measuring the economic outcomes of arts programs to
 13 the commission.

14 Sec. 7. K.S.A. 2016 Supp. 74-7901 is hereby amended to read as
 15 follows: 74-7901. There is hereby created a Kansas wildlife arts council
 16 which shall be composed of five members. One member shall be a
 17 member of the Kansas wildlife, parks and tourism commission appointed
 18 by such commission, one member shall be a member of the Kansas
 19 ~~creative arts—industries~~ commission appointed by such commission, one
 20 member shall be the director of the Fort Hays state university Sternberg
 21 museum, and two members shall be from the public at large appointed by
 22 the president of Fort Hays state university. The director of the Fort Hays
 23 state university Sternberg museum shall be chairperson of the council, and
 24 personnel of the Fort Hays state university Sternberg museum shall
 25 provide such staff and clerical services as the council may require.

26 Sec. 8. K.S.A. 2016 Supp. 75-2269 is hereby amended to read as
 27 follows: 75-2269. (a) There is hereby created a capitol preservation
 28 committee which will include the membership of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Sec. 9. K.S.A. 2016 Supp. 75-5072 is hereby amended to read as
2 follows: 75-5072. (a) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 Sec. 10. K.S.A. 2016 Supp. 79-3221m is hereby amended to read as
27 follows: 79-3221m. (a) For the taxable years commencing-~~after~~ *on*
28 December 31, 2012, *and ending on December 31, 2016*, each Kansas state
29 individual income tax return form shall contain a designation as follows:

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

33 (b) The director of taxation of the department of revenue shall
34 determine annually the total amount designated for contribution to the
35 Kansas creative arts industries commission checkoff fund pursuant to
36 subsection (a) and shall report such amount to the state treasurer who shall
37 credit the entire amount thereof to the Kansas creative arts industries
38 commission checkoff fund which fund is hereby established in the state
39 treasury. All moneys deposited in such fund shall be used solely for the
40 purpose of funding the Kansas creative arts industries commission. In the
41 case where donations are made pursuant to subsection (a), the director
42 shall remit the entire amount thereof to the state treasurer in accordance
43 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon

1 receipt of such remittance, the state treasurer shall deposit the entire
2 amount in the state treasury to the credit of such fund. All expenditures
3 from such fund shall be made in accordance with appropriation acts upon
4 warrants of the director of accounts and reports issued pursuant to
5 vouchers approved by the chairperson of the Kansas creative arts
6 industries commission.

7 (c) *For the taxable years commencing after December 31, 2016, each*
8 *Kansas state individual income tax return form shall contain a designation*
9 *as follows:*

10 *Kansas Arts Commission Checkoff Fund. Check if you wish to donate,*
11 *in addition to your tax liability, or designate from your refund, _____\$1,*
12 *_____ \$5, _____ \$10 or \$ _____.*

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

29 Sec. 11. K.S.A. 2016 Supp. 8-1,161, 74-5207, 74-5209, 74-7901, 75-
30 2269, 75-5072 and 79-3221m are hereby repealed.

31 Sec. 12. This act shall take effect and be in force from and after its
32 publication in the statute book.