

## HOUSE BILL No. 2681

By Committee on Veterans, Military and Homeland Security

2-13

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

17  
18 *Be it enacted by the Legislature of the State of Kansas:*

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

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

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

36 (d) All rules and regulations and all orders or directives of the Kansas

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

12 New Sec. 2. (a) There is hereby established within and as a part of the  
13 office of governor the Kansas executive director of veterans affairs.

14 (b) The Kansas executive director of veterans affairs, who shall be a  
15 veteran, shall be appointed by the governor and shall serve at the pleasure  
16 of the governor. Such executive director shall be in the unclassified service  
17 under the Kansas civil service act and shall receive an annual salary fixed  
18 by the governor. The executive director shall be responsible for carrying  
19 out the general policies of the governor relating to furnishing services to  
20 veterans, and to their relatives and dependents, including, but not limited to,  
21 overseeing the Kansas soldiers' home and the Kansas veterans' home.

22 (c) The compensation and expenses of the Kansas executive director  
23 of veterans affairs, and the salaries and expenses of officers and employees  
24 of the executive director who are employed to carry out the provisions of  
25 article 12 of chapter 73 and article 19 of chapter 76 of the Kansas Statutes  
26 Annotated, and amendments thereto, and other expenses of administering  
27 the provisions of such articles 12 and 19, shall be paid in accordance with  
28 appropriation acts upon vouchers approved by the governor or by a person  
29 or persons designated by the governor.

30 (c) All budgeting, purchasing and related management functions of  
31 the Kansas executive director of veterans affairs shall be administered  
32 under the direction of the office of the governor. All vouchers for  
33 expenditures and all payrolls of the commission shall be approved by the  
34 chairperson of the commission, or by a person or persons designated by  
35 the chairperson, and by the office of the governor.

36 (d) The office of governor shall provide office space and such clerical  
37 and other personnel as may be necessary for the efficient performance of  
38 the Kansas executive director of veterans affairs.

39 New Sec. 3. (a) There is hereby created the Kansas advisory  
40 committee on veterans affairs which shall assist the Kansas executive  
41 director of veterans affairs in furnishing services to veterans, their relatives  
42 and dependents.

43 (b) The Kansas advisory committee on veterans affairs shall consist

1 of five persons appointed by the governor. The members of the Kansas  
2 advisory committee on veterans affairs shall be persons who have served  
3 in the armed forces of the United States and have received an honorable  
4 discharge, as evidenced by their military discharge papers (DD Form 214).  
5 The governor shall designate the chairperson of the advisory committee.  
6 Members serving on the Kansas commission on veterans affairs under  
7 K.S.A. 73-1208a, prior to its repeal, on July 1, 2014, shall continue to  
8 serve on the Kansas advisory committee on veterans affairs for the term  
9 for which appointed.

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

15 (d) Persons appointed as successors to all members of the Kansas  
16 advisory committee on veterans affairs shall be appointed for terms of four  
17 years. The governor may remove a member of the advisory committee for  
18 good cause. Any vacancy occurring in the membership of the advisory  
19 committee for any cause shall be filled by appointment for the unexpired  
20 term in the same manner as provided in subsection (b). Members of the  
21 advisory committee attending meetings of the advisory committee, or  
22 attending a subcommittee meeting thereof authorized by the Kansas  
23 executive director of veterans affairs, shall be paid compensation,  
24 subsistence allowances, mileage and other expenses as provided in K.S.A.  
25 75-3223, and amendments thereto.

26 Sec. 4. K.S.A. 2013 Supp. 39-923 is hereby amended to read as  
27 follows: 39-923. (a) As used in this act:

28 (1) "Adult care home" means any nursing facility, nursing facility for  
29 mental health, intermediate care facility for people with intellectual  
30 disability, assisted living facility, residential health care facility, home plus,  
31 boarding care home and adult day care facility; all of which are  
32 classifications of adult care homes and are required to be licensed by the  
33 secretary of aging.

34 (2) "Nursing facility" means any place or facility operating 24 hours a  
35 day, seven days a week, caring for six or more individuals not related  
36 within the third degree of relationship to the administrator or owner by  
37 blood or marriage and who, due to functional impairments, need skilled  
38 nursing care to compensate for activities of daily living limitations.

39 (3) "Nursing facility for mental health" means any place or facility  
40 operating 24 hours a day, seven days a week, caring for six or more  
41 individuals not related within the third degree of relationship to the  
42 administrator or owner by blood or marriage and who, due to functional  
43 impairments, need skilled nursing care and special mental health services

1 to compensate for activities of daily living limitations.

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

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

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

35 (7) "Home plus" means any residence or facility caring for not more  
36 than 12 individuals not related within the third degree of relationship to the  
37 operator or owner by blood or marriage unless the resident in need of care  
38 is approved for placement by the secretary of the department of social and  
39 rehabilitation services, and who, due to functional impairment, needs  
40 personal care and may need supervised nursing care to compensate for  
41 activities of daily living limitations. The level of care provided to residents  
42 shall be determined by preparation of the staff and rules and regulations  
43 developed by the department on aging. An adult care home may convert a

1 portion of one wing of the facility to a not less than five-bed and not more  
2 than 12-bed home plus facility provided that the home plus facility  
3 remains separate from the adult care home, and each facility must remain  
4 contiguous. Any home plus that provides care for more than eight  
5 individuals after the effective date of this act shall adjust staffing personnel  
6 and resources as necessary to meet residents' needs in order to maintain the  
7 current level of nursing care standards. Personnel of any home plus who  
8 provide services for residents with dementia shall be required to take  
9 annual dementia care training.

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

16 (9) "Adult day care" means any place or facility operating less than  
17 24 hours a day caring for individuals not related within the third degree of  
18 relationship to the operator or owner by blood or marriage and who, due to  
19 functional impairment, need supervision of or assistance with activities of  
20 daily living.

21 (10) "Place or facility" means a building or any one or more complete  
22 floors of a building, or any one or more complete wings of a building, or  
23 any one or more complete wings and one or more complete floors of a  
24 building, and the term "place or facility" may include multiple buildings.

25 (11) "Skilled nursing care" means services performed by or under the  
26 immediate supervision of a registered professional nurse and additional  
27 licensed nursing personnel. Skilled nursing includes administration of  
28 medications and treatments as prescribed by a licensed physician or  
29 dentist; and other nursing functions which require substantial nursing  
30 judgment and skill based on the knowledge and application of scientific  
31 principles.

32 (12) "Supervised nursing care" means services provided by or under  
33 the guidance of a licensed nurse with initial direction for nursing  
34 procedures and periodic inspection of the actual act of accomplishing the  
35 procedures; administration of medications and treatments as prescribed by  
36 a licensed physician or dentist and assistance of residents with the  
37 performance of activities of daily living.

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

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

43 (15) "Operate an adult care home" means to own, lease, establish,

1 maintain, conduct the affairs of or manage an adult care home, except that  
2 for the purposes of this definition the word "own" and the word "lease"  
3 shall not include hospital districts, cities and counties which hold title to an  
4 adult care home purchased or constructed through the sale of bonds.

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

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

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

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

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

14 (21) "Operator" means an individual who operates an assisted living  
15 facility or residential health care facility with fewer than 61 residents, a  
16 home plus or adult day care facility and has completed a course approved  
17 by the secretary of health and environment on principles of assisted living  
18 and has successfully passed an examination approved by the secretary of  
19 health and environment on principles of assisted living and such other  
20 requirements as may be established by the secretary of health and  
21 environment by rules and regulations.

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

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

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

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

33 (26) The term "intermediate personal care home" for purposes of  
34 those individuals applying for or receiving veterans' benefits means  
35 residential health care facility.

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

43 (28) "Medicaid program" means the Kansas program of medical

1 assistance for which federal or state moneys, or any combination thereof,  
2 are expended, or any successor federal or state, or both, health insurance  
3 program or waiver granted thereunder.

4 (b) The term "adult care home" shall not include institutions operated  
5 by federal or state governments, except institutions operated by the Kansas  
6 ~~commission~~ *on executive director of* veterans affairs, hospitals or  
7 institutions for the treatment and care of psychiatric patients, child care  
8 facilities, maternity centers, hotels, offices of physicians or hospices which  
9 are certified to participate in the medicare program under 42 code of  
10 federal regulations, chapter IV, section 418.1 et seq., and amendments  
11 thereto, and which provide services only to hospice patients.

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

16 (d) Facilities licensed under the adult care home licensure act on the  
17 day immediately preceding the effective date of this act shall continue to  
18 be licensed facilities until the annual renewal date of such license and may  
19 renew such license in the appropriate licensure category under the adult  
20 care home licensure act subject to the payment of fees and other conditions  
21 and limitations of such act.

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

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

33 Sec. 5. K.S.A. 2013 Supp. 65-1732 is hereby amended to read as  
34 follows: 65-1732. (a) A funeral establishment, branch establishment or  
35 crematory which has possession of the cremated remains of a dead human  
36 body may dispose of the cremated remains, if:

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

39 (2) the funeral establishment, branch establishment or crematory has  
40 sent a notice by certified mail, return receipt requested, to the last known  
41 address of the authorizing agent as defined under K.S.A. 65-1760, and  
42 amendments thereto. Such notice shall state that such remains will be  
43 disposed of in accordance with the provisions of this section unless

1 claimed within 30 days of the date such notice is sent; and

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

5 (b) Such disposal under subsection (a) shall include burial by placing  
6 the remains in a church or cemetery plot, scatter garden, pond, or  
7 columbarium; relinquishing possession of the cremated remains of  
8 veterans to the Kansas commission of veterans affairs or a national  
9 cemetery in accordance with the provisions of subsection (c); or otherwise  
10 disposing of the remains as provided by rule and regulation of the board of  
11 mortuary arts. Disposition may include the commingling of the cremated  
12 remains with other cremated remains and thus the cremated remains would  
13 not be recoverable.

14 (c) (1) A funeral establishment, branch establishment or crematory  
15 which has held in its possession cremated remains for more than 90 days  
16 from the date of cremation and has provided notice pursuant to subsection  
17 (a) and the cremated remains remain unclaimed may, in accordance with  
18 the provisions of this section, determine if such cremated remains are  
19 those of a veteran, and if so, may dispose of such remains as provided in  
20 this section.

21 (2) Notwithstanding any law or rules and regulations to the contrary,  
22 nothing in this section shall prevent a funeral establishment, branch  
23 establishment or crematory from sharing information with the United  
24 States department of veterans affairs or the ~~Kansas commission on~~  
25 *executive director of* veterans affairs for the purpose of determining  
26 whether the cremated remains are those of a veteran. A funeral  
27 establishment, branch establishment, crematory, funeral director, assistant  
28 funeral director or crematory operator shall be discharged from any legal  
29 obligations or liability with regard to the releasing or sharing of  
30 information with such entities.

31 (3) Should a funeral establishment, branch establishment or  
32 crematory ascertain the cremated remains in its possession are those of a  
33 veteran and they are unclaimed cremated remains to be disposed of  
34 pursuant to provisions of subsection (a), the funeral establishment, branch  
35 establishment or crematory may relinquish possession of the cremated  
36 remains to the Kansas commission on veterans affairs or a national  
37 cemetery for disposition. Disposition shall be by placement of cremated  
38 remains in a tomb, mausoleum, crypt, niche in a columbarium or burial in  
39 a cemetery but shall not include the scattering of cremated remains.

40 (d) Nothing in this section shall require a funeral establishment,  
41 branch establishment or crematory to determine or seek others to  
42 determine that an individual's cremated remains are those of a veteran if  
43 the funeral establishment, branch establishment or crematory was

1 informed by the person in control of the disposition that: (1) Such  
2 individual was not a veteran; or (2) such individual did not desire any  
3 funeral or burial-related services or ceremonies recognizing service as a  
4 veteran.

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

11 Sec. 6. K.S.A. 2013 Supp. 65-2418 is hereby amended to read as  
12 follows: 65-2418. (a) (1) The secretary shall fix and charge by rules and  
13 regulations the fees to be paid for certified copies or abstracts of  
14 certificates or for search of the files for birth, death, fetal death, marriage  
15 or divorce records when no certified copy or abstract is made. Except as  
16 otherwise provided in this section, the secretary shall remit all moneys  
17 received by or for the secretary from fees, charges or penalties, under the  
18 uniform vital statistics act, and amendments thereto, to the state treasurer  
19 in accordance with the provisions of K.S.A. 75-4215, and amendments  
20 thereto. Upon receipt of each such remittance, the state treasurer shall  
21 deposit the entire amount in the state treasury to the credit of the civil  
22 registration and health statistics fee fund created by K.S.A. 2013 Supp. 65-  
23 2418e, and amendments thereto.

24 (2) The secretary shall not charge any fee for a certified copy of a  
25 certificate or abstract or for a search of the files or records if the certificate,  
26 abstract or search is requested by a person who exhibits correspondence  
27 from the United States department of veterans affairs or the Kansas  
28 ~~commission on~~ *executive director of* veterans affairs which indicates that  
29 the person is applying for benefits from the United States department of  
30 veterans affairs and that such person needs the requested information to  
31 obtain such benefits, except that, for a second or subsequent certified copy  
32 of a certificate, abstract or search of the files requested by the person, the  
33 usual fee shall be charged. The secretary may provide by rules and  
34 regulations for exemptions from such fees.

35 (3) The secretary shall not charge or accept any fee for a certified  
36 copy of a birth certificate if the certificate is requested by any person who  
37 is 17 years of age or older for purposes of voting if the applicant lacks the  
38 identification required by K.S.A. 25-2908(h), and amendments thereto, or  
39 to meet the voter registration requirements of K.S.A. 25-2309, and  
40 amendments thereto. For voter registration purposes, an applicant for  
41 registration shall swear under oath: (1) That such person plans to register  
42 to vote in Kansas; and (2) that such person does not possess any of the  
43 documents that constitute evidence of United States citizenship under

1 K.S.A. 25-2309(l), and amendments thereto. The affidavit shall  
2 specifically list the documents that constitute evidence of United States  
3 citizenship under K.S.A. 25-2309(l), and amendments thereto. The  
4 secretary shall adopt rules and regulations in order to implement the  
5 provisions of this subsection.

6 (4) Upon receipt of any such remittance of a fee for a certified copy  
7 of a birth certificate or abstract, \$3 of each such fee for the first copy of a  
8 birth certificate or abstract and \$1 of each such fee for each additional  
9 copy of the same birth certificate or abstract requested at the same time  
10 shall be remitted to the state treasurer in accordance with the provisions of  
11 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
12 remittance, the state treasurer shall deposit the entire amount in the state  
13 treasury to the credit of the permanent families account of the family and  
14 children investment fund created by K.S.A. 38-1808, and amendments  
15 thereto. The balance of the money received for a fee for a certified copy of  
16 a birth certificate or abstract shall be remitted to the state treasurer in  
17 accordance with the provisions of K.S.A. 75-4215, and amendments  
18 thereto. Upon receipt of each such remittance, the state treasurer shall  
19 deposit the entire amount in the state treasury to the credit of the civil  
20 registration and health statistics fee fund created under this act.

21 (5) Upon receipt of any such remittance of a fee for a certified copy  
22 of a death certificate or abstract, \$4 of each such fee for the first certified  
23 copy of a death certificate or abstract and \$2 of each such fee for each  
24 additional copy of the same death certificate or abstract requested at the  
25 same time shall be remitted to the state treasurer in accordance with the  
26 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
27 each such remittance, the state treasurer shall deposit the entire amount in  
28 the state treasury to the credit of the district coroners fund created by  
29 K.S.A. 22a-245, and amendments thereto. The balance of the money  
30 received for a fee for a certified copy of a death certificate or abstract shall  
31 be remitted to the state treasurer in accordance with the provisions of  
32 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
33 remittance, the state treasurer shall deposit the entire amount in the state  
34 treasury to the credit of the civil registration and health statistics fee fund  
35 created by K.S.A. 2013 Supp. 65-2418e, and amendments thereto.

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

42 Sec. 7. K.S.A. 73-209 is hereby amended to read as follows: 73-209.

43 (a) On submission to the adjutant general of an original discharge or other

1 official record of military service of any soldier, sailor or marine of the  
2 United States, or of a copy of such discharge or official record of military  
3 service certified to by a city, county or state official as being a true copy of  
4 original document, the adjutant general shall place such record on file in  
5 the adjutant general's office. If original documents are submitted, the  
6 adjutant general shall cause true copies of such original documents to be  
7 made and shall file the copies in the adjutant general's office and the  
8 originals shall be returned to the person who submitted them.

9 (b) Upon request of a soldier, sailor or marine whose records of  
10 military service have been filed in the adjutant general's office, the  
11 adjutant general shall cause to be furnished a certificate of military service  
12 in accordance with such records. The adjutant general shall not charge any  
13 fee for the certificate if the certificate is requested by a person who  
14 exhibits correspondence from the United States veterans administration or  
15 the ~~Kansas commission on veterans'~~ *executive director of veterans* affairs  
16 which indicates that the person is applying for benefits from the United  
17 States veterans administration and that such person needs the certificate to  
18 obtain such benefits.

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

24 Sec. 8. K.S.A. 73-210 is hereby amended to read as follows: 73-210.  
25 No city, county or state official shall charge a fee for certifying to the  
26 correctness of a true copy of an original discharge or other official record  
27 of military service of any soldier, sailor or marine of the United States,  
28 except that:

29 (a) The adjutant general may charge a fee unless the copy is requested  
30 by a person who exhibits correspondence from the United States veterans  
31 administration or the ~~Kansas commission on veterans'~~ *executive director of*  
32 *veterans* affairs which indicates that the person is applying for benefits  
33 from the United States veterans administration and that such person needs  
34 the copy to obtain such benefits; and

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

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

42 (†) (a) Collect data and information as to the facilities, benefits and  
43 services now or hereafter available to veterans and their relatives and

1 dependents, and furnish such information to veterans and their relatives  
2 and dependents and local service officers of veterans' organizations.

3 ~~(2)~~ (b) Prepare plans for a comprehensive statewide veterans' service  
4 program.

5 ~~(3)~~ (c) Coordinate the program of state agencies which may properly  
6 be utilized in the administration of various aspects of the problems of  
7 veterans, and relatives and dependents of veterans, such as the ~~department~~  
8 ~~of social and rehabilitation~~ *Kansas department for aging and disability*  
9 services, the department of labor, the state board of education, the board of  
10 regents and any other state office, department, board or commission  
11 furnishing service to veterans or their relatives or dependents.

12 (4) (d) Provide a central contact between federal and state agencies  
13 dealing with the problems of veterans and their relatives and dependents.

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

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

22 ~~(7)~~ (g) Provide a central agency to which veterans and their relatives  
23 and dependents may turn for information and assistance.

24 ~~(8)~~ (h) Provide and maintain such field services as shall be necessary  
25 to properly care for the needs of veterans and their relatives and  
26 dependents which shall not be operated in connection with the ~~social and~~  
27 ~~rehabilitation~~ *services Kansas department for aging and disability*  
28 *services.*

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

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

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

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

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

1       (3) *the superintendent of the Kansas veterans' home.*

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

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

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

42       ~~(e) (d) (1) Except as otherwise provided by law, and subject to the~~  
43 ~~Kansas civil service act, the Kansas executive director of the Kansas~~

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

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

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

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

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

43 ~~Nothing in this subsection shall be construed to affect the status, rights~~

1 ~~or benefits of any officer or employee of the Kansas commission on~~  
2 ~~veterans affairs employed by such commission on the effective date of this~~  
3 ~~act.~~

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

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

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

13 (3) Providing assistance to veterans service organizations  
14 participating in the veterans claims assistance program.

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

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

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

1 state board of regents, the board of trustees of any community college, or  
2 the governing body of any other institution which grants tuition for fees  
3 without charge to a dependent under this act may file a claim with the  
4 ~~Kansas commission on~~ *executive director of* veterans affairs for  
5 reimbursement of the amount of such tuition or fees. The Kansas  
6 ~~commission on~~ *executive director of* veterans affairs shall administer this  
7 act and qualifications of persons as dependents shall be determined by  
8 such ~~commission~~ *executive director*. Such ~~commission~~ *executive director*  
9 may adopt rules and regulations making more specific the definitions  
10 herein contained and for the administration of this act.

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

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

41 Sec. 14. K.S.A. 73-1222 is hereby amended to read as follows: 73-  
42 1222. As used in K.S.A. 73-1221 through 73-1231, and amendments  
43 thereto, unless the context clearly indicates otherwise:

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

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

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

7 ~~(d) (c) "Director" means the Kansas executive director of the Kansas~~  
8 ~~commission on veterans affairs.~~

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

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

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

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

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

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

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

42 (c) Within 90 days of the effective date of this act, the governor, the  
43 ~~commission~~ *director*, the speaker of the house of representatives and the

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

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

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

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

42 Sec. 16. K.S.A. 73-1224 is hereby amended to read as follows: 73-  
43 1224. (a) The ~~commission~~ *director* shall develop comprehensive surveys,

1 or adopt one or more existing surveys, to be conducted to determine and  
2 study the physical and mental conditions, problems and illnesses,  
3 including birth defects, as well as the employment, social, emotional and  
4 family problems experienced by veterans, their spouses and family  
5 members since the veteran's return to Kansas and by any other persons  
6 residing in Kansas who are suffering from Gulf War syndrome.

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

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

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

25 Sec. 17. K.S.A. 73-1225 is hereby amended to read as follows: 73-  
26 1225. There is hereby established with the ~~commission~~ *Kansas executive*  
27 *director of veterans affairs office* a full-time position dedicated to seeking  
28 and applying for grants and other moneys to fund activities under this act,  
29 to assist in the preparation and administration of surveys under this act, to  
30 promote programs and activities designed to assist persons affected by  
31 Gulf War syndrome to receive the help they need and to perform such  
32 other duties as the chairperson of the commission may prescribe. Within  
33 90 days of the effective date of this act, the ~~commission~~ director shall  
34 appoint a qualified individual to this position.

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

43 (b) The ~~commission~~ director shall determine the appropriate health

1 programs and the confidential mechanisms that shall be utilized to ask  
2 participants in such programs whether they are Persian Gulf War veterans,  
3 and if so, offer the veterans voluntary participation in the survey under  
4 K.S.A. 73-1224, and amendments thereto.

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

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

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

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

21 Sec. 20. K.S.A. 73-1229 is hereby amended to read as follows: 73-  
22 1229. The ~~commission~~ *director* shall adopt rules and regulations to  
23 implement and administer the provisions of K.S.A. 73-1221 through 73-  
24 1231, and amendments thereto.

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

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

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

8 Sec. 23. K.S.A. 73-1232 is hereby amended to read as follows: 73-  
9 1232. (a) The ~~Kansas commission of executive director of~~ *executive director of* veterans affairs  
10 is hereby authorized to establish and maintain a state system of veterans  
11 cemeteries. For the purposes of such system, the ~~commission~~ *executive*  
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~~ *executive director* may lease, purchase or otherwise  
17 acquire title to real property for the state system of veterans cemeteries.  
18 Subject to the provisions of subsection (b), the ~~commission~~ *executive*  
19 *director* may enter into contracts for the purpose of establishing and  
20 maintaining the system of veterans cemeteries.

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

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

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

38 (b) In accordance with this section, the ~~Kansas commission on~~  
39 *executive director of* veterans affairs 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 Kansas  
43 ~~commission on~~ *executive director of* veterans affairs and shall become the

1 property of Kansas upon completion and acceptance of the project by the  
2 secretary of administration and the Kansas ~~commission on executive~~  
3 *director of* veterans affairs. Except as otherwise provided by law or rules  
4 and 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 Kansas ~~commission on executive director~~  
7 *of* veterans affairs 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 Kansas ~~commission on executive director of~~ veterans affairs 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 Kansas ~~commission on executive~~  
17 *director of* veterans affairs 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 Kansas ~~commission on executive director of~~  
20 veterans affairs shall administer and expend any such private donation,  
21 gift, grant or bequest in accordance with the terms or conditions imposed  
22 by the donor.

23 (d) The Kansas ~~commission on executive director of~~ veterans affairs  
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 executive~~  
30 *director* of an advisory committee to advise the ~~commission executive~~  
31 *director* regarding memorials for veterans, which committee shall include  
32 one or more members of the legislature representing each area where a  
33 memorial may be located pursuant to this section and such other persons  
34 selected by the ~~commission executive 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 Kansas ~~commission on executive director of~~ veterans  
41 affairs has been obtained before: (A) The name of the Kansas ~~commission~~  
42 ~~on executive director of~~ veterans affairs or the name of the Kansas soldiers'  
43 home, the Kansas veterans' home or any other institution, building or

1 facility under the jurisdiction of the ~~commission~~ *executive director*; or (B)  
2 the name of any member of the ~~commission~~ *executive director* or of any  
3 officer or employee of the ~~commission~~ *executive director* 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 Kansas  
22 ~~commission~~ *on executive director* of veterans affairs. All moneys received  
23 from any private donation, gift, grant or bequest made for memorials for  
24 Kansas veterans who served in the armed forces of the United States of  
25 America shall be remitted to the state treasurer in accordance with the  
26 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
27 each such remittance, the state treasurer shall deposit the entire amount in  
28 the state 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 Kansas ~~commission~~ *on executive director* of veterans affairs or the  
35 ~~commission's~~ *executive director's* designee.

36 (g) On or before the 10<sup>th</sup> 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. 25. K.S.A. 2013 Supp. 73-1234 is hereby amended to read as

1 follows: 73-1234. (a) The Kansas-~~commission on~~ *executive director of*  
2 veterans affairs shall establish and administer a veterans claims assistance  
3 program in accordance with this section to improve the coordination of  
4 veterans benefits counseling in Kansas to maximize the effective and  
5 efficient use of taxpayer dollars and to ensure that every veteran is served  
6 and receives claims counseling and assistance. The Kansas-~~commission on~~  
7 *executive director of* veterans affairs shall establish and commence  
8 operations under the veterans claims assistance program in accordance  
9 with this section on or before August 1, 2006. The Kansas-~~commission on~~  
10 *executive director of* veterans affairs shall appoint the director of the  
11 veterans claims assistance program, who shall be in the classified service  
12 under the Kansas civil service act. No employee of the Kansas-~~commission~~  
13 ~~on~~ *executive director of* veterans affairs shall act as an agent with power of  
14 attorney for any claimant.

15 (b) The veterans claims assistance program shall implement and  
16 administer annual service grants to eligible veterans service organizations  
17 pursuant to grant agreements entered into with the Kansas-~~commission on~~  
18 *executive director of* veterans affairs in accordance with this section. All  
19 grant agreements shall include any match requirements described in  
20 subsection (g). All service grants and grant agreements shall be subject to  
21 the provisions of appropriation acts.

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

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

41 (e) Training activities for veterans claims assistance representatives  
42 shall be the responsibility of the veterans service organization employing  
43 the veterans claims assistance representatives and shall be conducted by

1 qualified veterans claims assistance representatives.

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

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

7 (2) the veterans service organization shall agree to cross-accredit the  
8 officers and employees of the Kansas ~~commission on~~ *executive director of*  
9 veterans affairs who are veterans and who work in the veteran services  
10 program, as well as veterans claims assistance representatives of other  
11 veterans service organizations who are performing services under the  
12 veterans claims assistance program, subject to the following:

13 (A) The person to be cross-accredited shall provide proof to the  
14 director that the person has successfully completed the national association  
15 of county veterans service officers training or equivalent, as determined by  
16 the director and that such person shall participate in a minimum of one  
17 annual training session as approved by the director as well as maintain the  
18 continuing education requirements of the cross-accrediting veterans  
19 service organization; and

20 (B) the cross-accrediting veterans service organization has reserved  
21 the right to terminate the accreditation if the person fails to meet the  
22 continuing education requirement of the veterans service organization or  
23 participate in a minimum of one annual training session as approved by the  
24 director;

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

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

30 (5) demonstrate the ability to comply with the requirements  
31 prescribed by this section or adopted by the Kansas ~~commission on~~  
32 *executive director of* veterans affairs under this statute for accounting,  
33 service work activity and other satisfactory performance requirements and  
34 measures;

35 (6) have established state headquarters in Kansas;

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

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

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

1 (10) have assisted in filing a minimum of 300 claims for veterans for  
2 which the veterans service organization has power of attorney in the past  
3 12-month period;

4 (11) agree to make no reference to membership eligibility on claims  
5 documentation and not solicit membership due to information received on  
6 claim forms;

7 (12) agree to cross-accredit service officers participating in the  
8 service grant program to include service officers of partnered veterans  
9 service organizations and Kansas ~~commission on~~ *executive director of*  
10 veterans affairs staff located in the federal veterans administration regional  
11 office and the United States department of veterans affairs medical centers  
12 in Leavenworth and Topeka; and

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

16 For the purposes of this subsection, "director" means the director of the  
17 veterans claims assistance program.

18 (g) Any monetary support provided under subsection (f)(13) shall be  
19 in a combination of monetary and non-monetary support, herein called  
20 "match." The veterans claims assistance advisory board shall determine the  
21 percentage of the match as a percent of the amount of the service grant  
22 provided to the veterans service organization, and submit such  
23 determination to the Kansas ~~commission on~~ *executive director of* veterans  
24 affairs for approval.

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

37 (i) The Kansas ~~commission on~~ *executive director of* veterans affairs  
38 shall develop and maintain a central database registry regarding claims  
39 outcome data received from veterans claims assistance representatives  
40 under the veterans claims assistance program.

41 Sec. 26. K.S.A. 2013 Supp. 73-1235 is hereby amended to read as  
42 follows: 73-1235. (a) There is hereby established with the Kansas  
43 ~~commission on~~ *executive director of* veterans affairs an advisory board

1 which shall be known as the veterans claims assistance advisory board.  
2 The advisory board shall advise the Kansas ~~commission on~~ *executive*  
3 *director of* veterans affairs in the implementation and administration of the  
4 veterans claims assistance program.

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

6 (1) The director of the veterans claims assistance program, who shall  
7 be a permanent member of the advisory board and shall serve as the  
8 chairperson of the advisory board.

9 (2) Each veterans service organization participating in the grant  
10 program shall appoint one member of the advisory board who shall be a  
11 veteran. The director shall notify the state level unit of each national  
12 veterans service organization which has an office in the federal department  
13 of veteran affairs regional office in Wichita, Kansas, and request written  
14 confirmation of the intent of the veterans service organization to  
15 participate in the veterans claims assistance program and to request an  
16 annual service grant. Each such veterans service organization submitting  
17 such confirmation that also meets the eligibility requirements in K.S.A.  
18 73-1234, and amendments thereto, shall prepare and submit a list of three  
19 nominations of veterans from such veterans service organization. The  
20 governor shall appoint one veteran as a member of the advisory board  
21 from each list.

22 (3) Two legislators, one from each house, shall be appointed to the  
23 advisory board with the speaker of the house of representatives and  
24 president of the senate each appointing a member. One legislator shall be a  
25 member of the democratic party and one legislator shall be a member of  
26 the republican party.

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

39 (d) Each member of the advisory board, other than the director of the  
40 veterans claims assistance program, shall serve until a successor is  
41 appointed and qualified. Whenever a vacancy occurs in the membership of  
42 the advisory board for any reason other than the expiration of a member's  
43 term of office, the governor, the speaker of the house of representatives or

1 president of the senate shall appoint a successor of like qualifications to  
2 fill the unexpired term in accordance with this section. In the case of any  
3 vacancy occurring in the position of an advisory board member who was  
4 appointed from a list of nominations submitted by a veterans service  
5 organization, the governor shall notify that veterans service organization of  
6 the vacant position and request a list of three nominations of veterans from  
7 which the governor shall appoint a successor to the advisory board.

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

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

17 Sec. 27. K.S.A. 2013 Supp. 73-1236 is hereby amended to read as  
18 follows: 73-1236. The legislative budget committee shall annually study  
19 and review the veterans claims assistance program and the service grants  
20 program of the ~~Kansas commission on executive director of~~ veterans  
21 affairs under this act. The ~~Kansas commission on executive director of~~  
22 veterans affairs and each veterans service organization which is receiving  
23 service grants under this section shall prepare and present annual reports of  
24 activities and expenditures under the veterans claims assistance program  
25 and the service grants program.

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

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

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

39 Sec. 29. K.S.A. 2013 Supp. 73-1239 is hereby amended to read as  
40 follows: 73-1239. The Vietnam war era medallion, medal and a certificate  
41 shall be awarded regardless of whether or not such veteran served within  
42 the United States or in a foreign country. The medallion, medal and the  
43 certificate shall be awarded regardless of whether or not such veteran was

1 under eighteen years of age at the time of enlistment. For purposes of this  
2 bill, "veteran" means any person defined as a veteran by the United States  
3 department of veterans' affairs or its successor agency. The Kansas  
4 ~~commission on executive director of~~ veterans affairs shall administer the  
5 program and shall adopt all rules and regulations necessary to administer  
6 the program. The agency shall determine as expeditiously as possible the  
7 persons who are entitled to a Vietnam war era medallion, medal and a  
8 certificate and distribute the medallions, medals and the certificates.  
9 Applications for the Vietnam war era medallion, medal and the certificate  
10 shall be filed with the Kansas ~~commission on executive director of~~  
11 veterans affairs at any time after January 1, 2010, on forms prescribed and  
12 furnished by the Kansas ~~commission on executive director of~~ veterans  
13 affairs. The director of veteran services shall approve all applications that  
14 are in order, and shall cause a Vietnam war era medallion, medal and a  
15 certificate to be prepared for each approved veteran in the form approved  
16 by the Kansas commission on veterans affairs. The director of veterans  
17 services shall review applications for the Vietnam war era medallion,  
18 medal and a certificate to ensure recipients are enrolled for eligible federal  
19 benefits.

20 Sec. 30. K.S.A. 2013 Supp. 73-1241 is hereby amended to read as  
21 follows: 73-1241. If any spouse or eldest living survivor applies for the  
22 Vietnam war era medallion, medal and certificate or if any veteran dies  
23 after applying for a Vietnam war era medallion, medal and a certificate and  
24 such veteran would have been entitled to the Vietnam war era medallion,  
25 medal and the certificate, the Kansas ~~commission on executive director of~~  
26 veterans affairs shall give the Vietnam war era medallion, medal and the  
27 certificate to the spouse or eldest living survivor of the deceased veteran.

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

42 Sec. 32. K.S.A. 2013 Supp. 73-1243 is hereby amended to read as  
43 follows: 73-1243. The "Vietnam war era veterans' recognition award fund"

1 is hereby created in the state treasury, and shall consist of all gifts,  
2 donations and bequests to the fund. Moneys received shall be remitted to  
3 the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
4 and amendments thereto. Upon receipt of each such remittance, the state  
5 treasurer shall deposit the entire amount in the state treasury to the credit  
6 of the Vietnam war era veterans' recognition award fund. The fund shall be  
7 administered by the Kansas ~~commission on~~ *executive director* of veterans  
8 affairs. Moneys in the Vietnam war era veterans' recognition award fund  
9 shall not be transferred to the credit of the state general fund. On or before  
10 the 10<sup>th</sup> day of each month, the director of accounts and reports shall  
11 transfer from the state general fund to the Vietnam war era veterans'  
12 recognition award fund interest earnings based on:

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

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

19 Sec. 33. K.S.A. 2012 Supp. 74-2012, as amended by section 3 of  
20 chapter 74 of the 2013 Session Laws of Kansas, is hereby amended to read  
21 as follows: 74-2012. (a) (1) All motor vehicle records shall be subject to  
22 the provisions of the open records act, except as otherwise provided under  
23 the provisions of this section and by K.S.A. 65-2422d and 74-2022, and  
24 amendments thereto.

25 (2) Nothing in this section shall prevent the transmittal of motor  
26 vehicle records for the purpose of processing voter registration  
27 applications.

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

32 (b) All motor vehicle records which relate to the physical or mental  
33 condition of any person, have been expunged or are photographs or digital  
34 images maintained in connection with the issuance of drivers' licenses  
35 shall be confidential and shall not be disclosed except in accordance with a  
36 proper judicial order or as otherwise more specifically provided in this  
37 section or by other law. Photographs or digital images maintained by the  
38 division of vehicles in connection with the issuance of drivers' licenses  
39 may be disclosed to any federal, state or local agency, including any court  
40 or law enforcement agency, to assist such agency in carrying out the  
41 functions required of such governmental agency. In January of each year  
42 the division shall report to the house committee on veterans, military and  
43 homeland security regarding the utilization of the provisions of this

1 subsection. Motor vehicle records relating to diversion agreements for the  
2 purposes of K.S.A. 8-1567, 12-4415 and 22-2908 and K.S.A. ~~2012~~ 2013  
3 Supp. 8-1025, and amendments thereto, shall be confidential and shall not  
4 be disclosed except in accordance with a proper judicial order or by direct  
5 computer access to:

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

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

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

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

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

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

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

28 (i) Have safety-related defects;

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

30 (iii) have any defect to be remedied at the expense of the  
31 manufacturer;

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

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

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

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

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

5 (E) assisting businesses with the verification or reporting of  
6 information derived from the title and registration records of the division  
7 to prepare and assemble vehicle history reports, except that such vehicle  
8 history reports shall not include the names or addresses of any current or  
9 previous owners;

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

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

16 (H) assisting the ~~Kansas commission on~~ *executive director of* veterans  
17 affairs in notifying veterans of the facilities, benefits and services available  
18 to veterans.

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

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

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

43 (f) A fee in an amount fixed by the secretary of revenue pursuant to

1 K.S.A. 74-2022, and amendments thereto, of not less than \$2 for each full  
2 or partial motor vehicle record shall be charged by the division, except that  
3 the director may charge a lesser fee pursuant to a contract between the  
4 secretary of revenue and any person to whom the director is authorized to  
5 furnish information under paragraph (1) of subsection (c), and such fee  
6 shall not be less than the cost of production or reproduction of any full or  
7 partial motor vehicle record requested. Except for the fees charged  
8 pursuant to a contract for motor vehicle records authorized by this  
9 subsection pertaining to motor vehicle titles or motor vehicle registrations  
10 or pursuant to subsection (c)(1)(B)(ii) or (c)(1)(D), \$1 shall be credited to  
11 the highway patrol training center fund for each motor vehicle record  
12 provided by the division of vehicles.

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

15 Sec. 34. K.S.A. 2013 Supp. 75-3370 is hereby amended to read as  
16 follows: 75-3370. (a) The secretary ~~of social and rehabilitation for aging~~  
17 ~~and disability~~ services is hereby authorized to enter into an interagency  
18 agreement with the secretary of corrections and the Kansas ~~commission on~~  
19 ~~executive director of~~ veterans affairs transferring the charge, care,  
20 management and control of the Winfield state hospital and training center  
21 property to the department of corrections and the Kansas commission on  
22 veterans affairs in accordance with the current uses of the Winfield state  
23 hospital and training center property and as agreed upon by the secretary  
24 of corrections and the Kansas ~~commission on executive director of~~  
25 veterans affairs.

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

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

43 (1) The Southwest Quarter of Section 14, Township 32 South, Range

1 4 East of the 6<sup>th</sup> P.M., Cowley County, Kansas;

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

4 (3) Part of the Northwest Quarter of Section 15, Township 32 South,  
5 Range 4 East of the 6<sup>th</sup> P.M., that lies East of the Centerline of Timber  
6 Creek, and described as follows: Commencing at the Northeast corner of  
7 said Quarter Section; Thence West along the North line of said Quarter  
8 Section to the center of the Channel of Timber Creek; Thence Southerly  
9 down the center of the channel of said creek (following the meanderings  
10 thereof) to the South line of said Quarter Section; Thence East along the  
11 South line of said Quarter Section to the Southeast Corner of said Quarter  
12 Section; Thence North along the East line of said Quarter Section to the  
13 Point of Beginning.

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

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

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

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

29 (3) any safety sensitive position;

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

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

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

37 (7) any employee of a state veteran's home operated by the Kansas  
38 ~~commission on~~ *executive director of* veteran's affairs as described in  
39 K.S.A. 76-1901 et seq. and K.S.A. 76-1951 et seq., and amendments  
40 thereto.

41 (c) Any public announcement or advertisement soliciting applications  
42 for employment in a safety sensitive position in state government shall  
43 include a statement of the requirements of the drug screening program

1 established under this section for applicants for and employees holding a  
2 safety sensitive position.

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

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

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

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

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

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

22 (1) All state law enforcement officers who are authorized to carry  
23 firearms;

24 (2) all state corrections officers;

25 (3) all state parole officers;

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

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

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

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

37 (8) all employees who have access to a secured biological laboratory  
38 in the office of laboratory services of the department of health and  
39 environment.

40 Sec. 36. K.S.A. 2013 Supp. 76-6b05 is hereby amended to read as  
41 follows: 76-6b05. (a) All moneys received by the state treasurer under  
42 K.S.A. 76-6b04, and amendments thereto, shall be credited to the state  
43 institutions building fund, which is hereby created in the state treasury, to

1 be used for the construction, reconstruction, equipment and repair of  
2 buildings and grounds at institutions specified in K.S.A. 76-6b04, and  
3 amendments thereto, and for payment of debt service on revenue bonds  
4 issued to finance such projects, all subject to appropriation by the  
5 legislature.

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

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

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

15 (d) Subject to any restrictions imposed by appropriation acts, the  
16 ~~Kansas commission on executive director of~~ veterans affairs is authorized  
17 to pledge funds appropriated to it from the state institutions building fund  
18 or from any other source and transferred to a special revenue fund of the  
19 ~~Kansas commission on executive director of~~ veterans affairs specified by  
20 statute for the payment of debt service on revenue bonds issued for  
21 veterans' home HVAC system replacement. Subject to any restrictions  
22 imposed by appropriation acts, the ~~Kansas commission on executive~~  
23 ~~director of~~ veterans affairs is also authorized to pledge any funds  
24 appropriated to it from the state institutions building fund or from any  
25 other source and transferred to a special revenue fund of the ~~Kansas~~  
26 ~~commission on executive director of~~ veterans affairs specified by statute as  
27 a priority for the payment of debt service on such revenue bonds. Neither  
28 the state or the ~~Kansas commission on executive director of~~ veterans  
29 affairs shall have the power to pledge the faith and credit or taxing power  
30 of the state of Kansas for such purposes and any payment by the ~~Kansas~~  
31 ~~commission on veterans affairs~~ for such purposes shall be subject to and  
32 dependent on appropriations being made from time to time by the  
33 legislature. Any obligation of the ~~Kansas commission on executive~~  
34 ~~director of~~ veterans affairs for payment of debt service on revenue bonds  
35 and any such revenue bonds issued for veterans' home HVAC system  
36 replacement shall not be considered a debt or obligation of the state for the  
37 purpose of section 6 of article 11 of the constitution of the state of Kansas.

38 Sec. 37. K.S.A. 76-1904 is hereby amended to read as follows: 76-  
39 1904. (a) ~~The Kansas commission on executive director of~~ veterans affairs  
40 shall have full control of the Kansas soldiers' home, the property, effects,  
41 supervision and management thereof.

42 (b) ~~A superintendent of the Kansas soldiers' home shall be appointed~~  
43 ~~by the Kansas commission on veterans affairs, and shall serve at the~~

1 pleasure of the commission. The superintendent shall be in the unclassified  
2 service under the Kansas civil service act and shall receive an annual  
3 salary fixed by the Kansas commission on veterans affairs, with the  
4 approval of the governor. The superintendent of the Kansas soldiers' home  
5 shall perform such duties and exercise such powers as the commission  
6 may prescribe, and such duties and powers as are prescribed by law.

7 Sec. 38. K.S.A. 76-1904a is hereby amended to read as follows: 76-  
8 1904a. The Kansas ~~veterans' commission~~ *executive director of veterans*  
9 *affairs* shall establish rates of charges to be made to members and patients  
10 of the Kansas soldiers' home. Such charges shall not exceed an amount  
11 equal to the per diem cost of care for the preceding year or the charge  
12 made against patients under K.S.A. 59-2006, and amendments thereto,  
13 whichever is the smaller. No action shall be commenced by the Kansas  
14 ~~veterans' commission~~ *executive director of veterans affairs* against a  
15 member or patient or the estate of a member or patient for the recovery of  
16 any such charges unless such action is commenced within five ~~(5)~~ years  
17 after the date such charges are incurred. Such ~~commission~~ *executive*  
18 *director* may compromise and settle any claim for charges hereunder, and  
19 may, upon payment of a valuable consideration by the member or patient  
20 or his or her estate, discharge and release such member, patient or estate of  
21 any or all past liability incurred hereunder. Whenever the ~~commission~~  
22 *executive director* shall negotiate a compromise agreement to settle any  
23 claim due or claim to be due from a member or a patient or his or her  
24 estate, no action shall thereafter be brought or claim made for any amounts  
25 due for charges incurred prior to the effective date of the agreement  
26 entered into, except for the amounts provided for in the agreement.  
27 Nothing in this act shall be deemed to extend the period specified in  
28 K.S.A. 59-2239, *and amendments thereto*, for the purposes therein  
29 specified.

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

1       Sec. 40. K.S.A. 76-1908 is hereby amended to read as follows: 76-  
2 1908. (a) The following, subject to the rules and regulations that may be  
3 adopted by the ~~Kansas-commission on~~ *executive director of* veterans  
4 affairs for the management and government of the Kansas soldiers' home,  
5 shall be eligible to admission to the Kansas soldiers' home:

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

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

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

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

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

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

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

42       (g) The rules and regulations for admission of members to the Kansas  
43 soldiers' home: (1) Shall require that a veteran who has no adequate

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

6 Sec. 41. K.S.A. 76-1927 is hereby amended to read as follows: 76-  
7 1927. The Kansas ~~veterans' commission~~ *executive director of veterans*  
8 *affairs* shall have the authority to establish rules and regulations for the  
9 management and operation of the Kansas soldiers' home and governing  
10 conduct and discipline of the members of and other persons in the Kansas  
11 soldiers' home. Such rules and regulations shall be filed with the secretary  
12 of state as provided by law.

13 Sec. 42. K.S.A. 76-1928 is hereby amended to read as follows: 76-  
14 1928. The *Kansas executive director of veterans affairs or the*  
15 *superintendent of the Kansas soldiers' home* shall enforce such rules and  
16 regulations and ~~he or she~~ may furlough any member for violation of such  
17 rules.

18 Sec. 43. K.S.A. 76-1929 is hereby amended to read as follows: 76-  
19 1929. The Kansas ~~veterans' commission~~ *executive director of veterans*  
20 *affairs* may discharge any member who violates such rules and  
21 regulations, except that no member shall be discharged without notice to  
22 such member and a right to be heard concerning such charges in  
23 accordance with the provisions of the Kansas administrative procedure act.

24 Sec. 44. K.S.A. 76-1931 is hereby amended to read as follows: 76-  
25 1931. If any member of such soldiers' home shall refuse to vacate the  
26 premises upon receiving a furlough from the officers designated to enforce  
27 the rules and regulations, such refusal shall constitute a forfeiture of ~~his or~~  
28 ~~her~~ *such person's* right to remain in the home and such member shall be  
29 forthwith discharged by the Kansas ~~veterans' commission~~ *executive*  
30 *director of veterans affairs*.

31 Sec. 45. K.S.A. 76-1932 is hereby amended to read as follows: 76-  
32 1932. If any member shall refuse to vacate the premises upon being  
33 discharged by the Kansas ~~veterans' commission~~ *executive director of*  
34 *veterans affairs*, such member shall ~~forthwith~~ forfeit ~~his or her~~ *such*  
35 *member's* right to subsistence and rations for ~~himself or herself~~ *the*  
36 *member and the member's dependents*, if any, and the Kansas ~~veterans'~~  
37 ~~commission~~ *executive director of veterans affairs* shall institute legal  
38 proceedings to force such member to vacate the premises.

39 Sec. 46. K.S.A. 76-1935 is hereby amended to read as follows: 76-  
40 1935. The Kansas ~~veterans' commission~~ *executive director of veterans*  
41 *affairs* shall designate a person at the Kansas soldiers' home who shall be  
42 in charge of the member funds at such soldiers' home. The person so  
43 designated shall have custody and charge of all moneys belonging to the

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

11 Sec. 47. K.S.A. 76-1935a is hereby amended to read as follows: 76-  
12 1935a. The custodian of the members and patients trust fund at the Kansas  
13 soldiers' home shall notify the *Kansas* executive director of ~~the Kansas~~  
14 ~~veterans' commission~~ *veterans affairs* of any moneys which are under the  
15 custodian's charge belonging to members who have died intestate, without  
16 known heirs or designated beneficiaries for funds on deposit, and the  
17 executive director shall publish a notice for two consecutive weeks in the  
18 Kansas register which shall state the name of each deceased member, their  
19 last known home address and the amount of the deposit remaining in the  
20 account of such former member; and such notice shall further state that  
21 unless interested persons appear and file a legitimate claim ~~therefor~~ within  
22 one year after the date of the last publication of such notice, ~~said such~~  
23 amount or amounts will be transferred to the general fees fund of the  
24 soldiers' home to help defray unrecovered costs connected with the  
25 maintenance and operation of the soldiers' home and for accounting,  
26 auditing, budgeting, legal, payroll, personnel and purchasing services  
27 which are performed on behalf of such agency by other state agencies.

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

42 Sec. 48. K.S.A. 76-1936 is hereby amended to read as follows: 76-  
43 1936. (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 ~~Kansas veterans' commission~~ *executive director of veterans affairs*,  
5 may transfer patients in the state hospitals at Topeka, Osawatomie and  
6 Larned 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. 76-1908, *and amendments thereto*, and *who* was  
12 discharged or relieved therefrom under conditions other than dishonorable,  
13 to the Kansas soldiers' 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 himself or others, shall be so transferred to such Kansas soldiers'  
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. 76-1908, *and*  
19 *amendments thereto*, and rules and regulations promulgated thereunder.  
20 Persons so transferred shall not be considered as members of the Kansas  
21 soldiers' 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 facility 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 himself or others or who is determined to  
29 need additional psychiatric treatment, shall be retransferred by the  
30 superintendent of the Kansas soldiers' home, with the approval of the  
31 commissioner of mental health and developmental disabilities *and the*  
32 *Kansas executive director of veterans affairs*, to the institution from  
33 whence the patient was originally transferred.

34 Sec. 49. K.S.A. 2013 Supp. 76-1939 is hereby amended to read as  
35 follows: 76-1939. The ~~Kansas veterans' commission~~ *executive director of*  
36 *veterans affairs* shall not engage in farming operations on the farm land  
37 which are part of the lands of the Kansas soldiers' home except that the  
38 commission may engage in and permit vegetable gardening on a portion of  
39 such lands. All such farm lands not needed or used for vegetable gardening  
40 shall be rented or leased, for a period not to exceed five years, by the  
41 commission, except that if the Kansas state university of agriculture and  
42 applied science shall request that such lands be rented or leased to it for  
43 agricultural experimental purposes, it shall be given preference when such

1 lands are rented or leased. Any such rental or lease agreement shall not  
2 include any buildings or improvements other than irrigation pumps and  
3 facilities. All moneys derived from the lease or rental of such farm lands  
4 shall be remitted to the state treasurer in accordance with the provisions of  
5 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
6 remittance, the state treasurer shall deposit the entire amount in the state  
7 treasury to the credit of the Kansas soldiers' home and Mother Bickerdyke  
8 annex fee fund for the use of such soldiers' home.

9 Sec. 50. K.S.A. 76-1941 is hereby amended to read as follows: 76-  
10 1941. (a) The Kansas ~~commission on veterans'~~ *executive director of*  
11 *veterans* affairs may enter into a written contract with any individual who  
12 is eligible for admission to the Kansas soldiers' home under K.S.A. 76-  
13 1908, and amendments thereto, to authorize the construction of a single-  
14 family dwelling for use as a home for such individual and such individual's  
15 family members on the real property of the Kansas soldiers' home in  
16 accordance with rules and regulations adopted by the Kansas ~~commission~~  
17 ~~on executive director of~~ *executive director of* veterans affairs under this section. Each such  
18 dwelling shall be constructed and maintained: (1) At the expense of the  
19 individual entering into a contract with the ~~commission~~ *executive director*  
20 under this section, including any required sewer, water and utility  
21 connections;; (2) at a location on the real property of the Kansas soldiers'  
22 home approved in accordance with rules and regulations adopted by the  
23 ~~commission~~ *executive director* under this section;; and (3) in accordance  
24 with the building design, construction and materials standards as  
25 authorized or prescribed by rules and regulations adopted by the  
26 ~~commission~~ *executive director* under this section.

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

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

43 (d) The Kansas ~~commission on~~ *executive director of* veterans affairs

1 shall adopt rules and regulations prescribing policies and procedures for  
2 the construction and maintenance of single-family dwellings on the real  
3 estate of Kansas soldiers' home, prescribing building design, construction  
4 and materials standards for such dwellings, and for such other matters as  
5 may be required for the implementation and administration of this section.  
6 No rule and regulation shall be adopted by the ~~Kansas commission on~~  
7 ~~executive director of~~ veterans affairs under this subsection unless the  
8 ~~Kansas commission on executive director of~~ veterans affairs first has  
9 advised and consulted with the joint committee on state building  
10 construction and has presented such proposed rule and regulation to the  
11 joint committee on state building construction.

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

18 Sec. 51. K.S.A. 76-1951 is hereby amended to read as follows: 76-  
19 1951. (a) On and after January 1, 1998, the Kansas commission on  
20 veterans affairs shall operate a Kansas veterans' home to be located on the  
21 grounds of Winfield state hospital and training center. The commission on  
22 veterans affairs and the ~~secretary of social and rehabilitation for aging and~~  
23 ~~disability~~ services shall enter into an agreement concerning property,  
24 premises, facilities, installations, equipment and records of Winfield state  
25 hospital and training center which will be transferred to the Kansas  
26 ~~commission on executive director of~~ veterans affairs for the purpose of  
27 establishing and operating the Kansas veterans' home. The agreement shall  
28 establish the timing of any such transfers. Any conflict as to the proper  
29 disposition of property or records arising under this section shall be  
30 determined by the governor, whose decision shall be final.

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

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

1       ~~(d) A superintendent of the Kansas veterans' home shall be appointed~~  
2 ~~by the Kansas commission on veterans affairs, and shall serve at the~~  
3 ~~pleasure of the commission. The superintendent shall be in the unclassified~~  
4 ~~service under the Kansas civil service act and shall receive an annual~~  
5 ~~salary fixed by the Kansas commission on veterans affairs, with the~~  
6 ~~approval of the governor. The superintendent of the Kansas veterans' home~~  
7 ~~shall perform such duties and exercise such powers as the commission~~  
8 ~~may prescribe, and such duties and powers as are prescribed by law.~~

9       Sec. 52. K.S.A. 76-1952 is hereby amended to read as follows: 76-  
10 1952. ~~The Kansas commission on executive director of~~ veterans affairs  
11 shall establish rates of charges to be made to members and patients of the  
12 Kansas veterans' home. The charges in the first year of operation of the  
13 Kansas veterans' home shall not exceed an amount equal to the per diem  
14 cost of care for the Kansas soldiers' home for the preceding year or the  
15 charge made against patients under K.S.A. 59-2006, and amendments  
16 thereto, whichever is less, and thereafter the charges shall not exceed an  
17 amount equal to the per diem cost of care for the Kansas veterans' home  
18 for the preceding year or the charge made against patients under K.S.A.  
19 59-2006, and amendments thereto, whichever is the lesser amount. No  
20 action shall be commenced by the ~~Kansas commission on executive~~  
21 ~~director of~~ veterans affairs against a member or patient or the estate of a  
22 member or patient for the recovery of any such charges unless such action  
23 is commenced within five years after the date such charges are incurred.  
24 ~~The commission executive director~~ may compromise and settle any claim  
25 for charges under this section, and may, upon payment of a valuable  
26 consideration by the member or patient or the estate of the member or  
27 patient, discharge and release such member, patient or estate of any or all  
28 past liability incurred under this section due or claim to be due from a  
29 member or a patient or the estate of the member or patient, no action shall  
30 thereafter be brought or claim made for any amounts due for charges  
31 incurred prior to the effective date of the agreement entered into, except  
32 for the amounts provided for in the agreement. Nothing in this act shall be  
33 deemed to extend the period specified in K.S.A. 59-2239, and amendments  
34 thereto, for the purposes therein specified.

35       Sec. 53. K.S.A. 2013 Supp. 76-1953 is hereby amended to read as  
36 follows: 76-1953. The superintendent of the Kansas veterans' home shall  
37 remit all moneys received by or for the superintendent under this act and  
38 all moneys received from the United States department of veterans affairs  
39 for reimbursements for the care of residents to the state treasurer in  
40 accordance with the provisions of K.S.A. 75-4215, and amendments  
41 thereto. Upon receipt of each such remittance, the state treasurer shall  
42 deposit the entire amount in the state treasury to the credit of the veterans'  
43 home fee fund which is hereby created. All expenditures from such fund

1 shall be made in accordance with appropriation acts upon warrants of the  
2 director of accounts and reports issued pursuant to vouchers approved by  
3 the *Kansas* executive director of ~~the Kansas commission on~~ veterans  
4 affairs or by a person or persons designated by the executive director.

5 Sec. 54. K.S.A. 76-1954 is hereby amended to read as follows: 76-  
6 1954. (a) The following, subject to the rules and regulations that may be  
7 adopted by the ~~Kansas commission on~~ *executive director of* veterans  
8 affairs for the management and government of the Kansas veterans' home,  
9 shall be eligible to admission to the Kansas veterans' home:

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

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

23 (b) No person shall be admitted to the veterans' home except upon  
24 application to the commission and approval of the application by the  
25 ~~commission~~ *executive director*. No applicant shall be admitted to the  
26 veterans' home who has not been an actual resident of the state of Kansas  
27 for at least two years next preceding the date of application.

28 (c) No person shall be admitted to or retained in the veterans' home  
29 who has been convicted of a felony, unless the commission finds that such  
30 person has been adequately rehabilitated and is not dangerous to oneself or  
31 to the person or property of others.

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

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

37 (f) The ~~Kansas commission on~~ *executive director of* veterans affairs  
38 shall have authority by resolution to discharge any member from the  
39 veterans' home on a showing that the member has gained admittance into  
40 the veterans' home by misrepresentation of the member's financial or  
41 physical condition, or a showing that the financial or physical condition of  
42 such member has been so altered since admittance so that the further  
43 maintenance of the member in the veterans' home is not justified. No such

1 member shall be discharged without notice and opportunity to be heard in  
2 accordance with the provisions of the Kansas administrative procedure act.

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

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

9 (2) shall require that an applicant for admission be given priority over  
10 patients transferred from state institutions under the provisions of K.S.A.  
11 76-1958, and amendments thereto.

12 Sec. 55. K.S.A. 76-1955 is hereby amended to read as follows: 76-  
13 1955. (a) The Kansas ~~commission on~~ *executive director of* veterans affairs  
14 shall have the authority to establish rules and regulations for the  
15 management and operation of the Kansas veterans' home and governing  
16 conduct and discipline of the members of and other persons in the Kansas  
17 veterans' home. Such rules and regulations shall be filed with the secretary  
18 of state as provided by law.

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

22 (c) The Kansas ~~commission on~~ *executive director of* veterans affairs  
23 may discharge any member who violates such rules and regulations,  
24 except that no member shall be discharged without notice to such member  
25 and a right to be heard concerning such charges in accordance with the  
26 provisions of the Kansas administrative procedure act.

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

34 (e) If any member of such veterans' home shall refuse to vacate the  
35 premises upon receiving a furlough from the officers designated to enforce  
36 the rules and regulations, such refusal shall constitute a forfeiture of such  
37 member's right to remain in the home and such member shall be forthwith  
38 discharged by the Kansas ~~commission on~~ *executive director of* veterans  
39 affairs.

40 (f) If any member shall refuse to vacate the premises upon being  
41 discharged by the Kansas ~~commission on~~ *executive director of* veterans  
42 affairs, such member shall forthwith forfeit the member's right to  
43 subsistence and rations for such member and dependents, if any, and the

1 ~~Kansas-commission on~~ *executive director of* veterans affairs shall institute  
2 legal proceedings to force such member to vacate the premises.

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

9 Sec. 56. K.S.A. 76-1956 is hereby amended to read as follows: 76-  
10 1956. The ~~Kansas-commission on~~ *executive director of* veterans affairs  
11 shall designate a person at the Kansas veterans' home who shall be in  
12 charge of the member funds at such veterans' home. The person so  
13 designated shall have custody and charge of all moneys belonging to the  
14 members, or patients residing in the Kansas veterans' home, which are held  
15 for their use, benefit and burial. The ~~Kansas-commission on~~ *executive*  
16 *director of* veterans affairs shall designate the bank or banks, in which  
17 such moneys shall be deposited, and shall provide that any sums in excess  
18 of \$5,000 shall be deposited with the state treasurer for safekeeping. Any  
19 fund so deposited with the state treasurer shall be held by the state  
20 treasurer, separate and apart from the other funds in the custody of the  
21 state treasurer, and may be withdrawn by the person designated by the  
22 ~~Kansas-commission on~~ *executive director of* veterans affairs.

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

40 (b) Unless a party entitled thereto makes claim within the time stated  
41 in the notice, the balance in any former member's fund as so published for  
42 which no claim is made as prescribed in this section shall be transferred as  
43 provided in this section. Thereafter, unless a claim is filed with the

1 ~~commission on~~ *Kansas executive director of* veterans affairs within two  
2 years after such transfer is made, no claim may be made or filed for such  
3 former member's fund except that a person under legal disability during  
4 the two-year period may file a claim within one year after removal of the  
5 disability. ~~The commission on~~ *Kansas executive director of* veterans affairs  
6 is hereby authorized to make payments to claimants it shall determine are  
7 entitled thereto, if such claims otherwise comply with the terms of this act;  
8 and such payments shall be authorized from the general fees fund of the  
9 Kansas veterans' home to which the former member's funds were  
10 transferred.

11 Sec. 58. K.S.A. 76-1958 is hereby amended to read as follows: 76-  
12 1958. (a) The commissioner of mental health and developmental  
13 disabilities of the ~~department of social and rehabilitation~~ *Kansas*  
14 *department for aging and disability* services, with the approval of the  
15 secretary of ~~social and rehabilitation~~ *for aging and disability* services and  
16 the ~~Kansas commission on~~ *executive director of* veterans affairs, may  
17 transfer patients in the state hospitals in Topeka, Osawatomie and Larned  
18 and patients in the Rainbow mental health facility, the Parsons state  
19 hospital and training center and the Winfield state hospital and training  
20 center who have served in the military or naval forces of the United States  
21 or whose husband, wife, father, son or daughter has served in the active  
22 military or naval service of the United States during any period of any war  
23 as defined in K.S.A. 76-1954, and amendments thereto, and was  
24 discharged or relieved therefrom under conditions other than dishonorable,  
25 to the Kansas veterans' home. No patient who is such a mentally ill  
26 person, in the opinion of the commissioner of mental health and  
27 developmental disabilities, that because of such patient's illness such  
28 patient is likely to injure oneself or others shall be so transferred to such  
29 Kansas veterans' home, and no such patient shall be so transferred if such  
30 transfer will deny admission to persons entitled to admission under K.S.A.  
31 76-1954, and amendments thereto, and rules and regulations promulgated  
32 thereunder. Persons so transferred shall not be considered as members of  
33 the Kansas veterans' home but shall be considered as patients therein.

34 (b) All of the laws, rules and regulations relating to patients in the  
35 above-specified state hospitals and mental health facilities shall be  
36 applicable to such patients so transferred insofar as the same can be made  
37 applicable. Any patient so transferred who is found to be or shall become  
38 such a mentally ill person, in the opinion of the commissioner of mental  
39 health and developmental disabilities, that because of such patient's illness  
40 such patient is likely to injure oneself or others or who is determined to  
41 need additional psychiatric treatment, shall be retransferred by the  
42 superintendent of the Kansas veterans' home, with the approval of the  
43 commissioner of mental health and developmental disabilities *and the*

1 *Kansas executive director of veterans affairs*, to the institution from which  
2 the patient was originally transferred.

3 Sec. 59. K.S.A. 2013 Supp. 79-3221k is hereby amended to read as  
4 follows: 79-3221k. (a) For all tax years commencing after December 31,  
5 2011, each Kansas state individual income tax return form shall contain a  
6 designation as follows:

7 Kansas Hometown Heroes Fund. Check if you wish to donate, in  
8 addition to your tax liability, or designate from your refund, \_\_\_\_\_\$1,  
9 \_\_\_\_\_\$5, \_\_\_\_\_\$10 or \$\_\_\_\_\_.

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

27 Sec. 60. K.S.A. 73-209, 73-210, 73-1207, 73-1208b, 73-1208c, 73-  
28 1211, 73-1220, 73-1222, 73-1223, 73-1224, 73-1225, 73-1226, 73-1227,  
29 73-1229, 73-1230, 73-1231, 73-1232, 76-1904, 76-1904a, 76-1908, 76-  
30 1927, 76-1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-1936,  
31 76-1941, 76-1951, 76-1952, 76-1954, 76-1955, 76-1956, 76-1957 and 76-  
32 1958; K.S.A. 2012 Supp. 74-2012, as amended by section 3 of chapter 74  
33 of the 2013 Session Laws of Kansas and K.S.A. 2013 Supp. 39-923, 65-  
34 1732, 65-2418, 73-1208a, 73-1209, 73-1210a, 73-1217, 73-1218, 73-1219,  
35 73-1233, 73-1234, 73-1235, 73-1236, 73-1238, 73-1239, 73-1241, 73-  
36 1242, 73-1243, 75-3370, 75-4362, 76-6b05, 76-1906, 76-1939, 76-1953  
37 and 79-3221k are hereby repealed.

38 Sec. 61. This act shall take effect and be in force from and after its  
39 publication in the statute book.