

**HOUSE BILL No. 2760**

By Committee on Veterans and Military

Requested by Rob Leicht on behalf of the Kansas Commission on Veterans Affairs  
Office

2-8

1 AN ACT concerning veterans and military; relating to the transfer of  
2 powers, duties and functions of the Kansas commission on veterans  
3 affairs office; establishing the Kansas office of veterans services;  
4 amending K.S.A. 21-6630, 39-923, 65-1732, 65-2418, 73-209, 73-210,  
5 73-230, 73-1209, 73-1210a, 73-1211, 73-1217, 73-1218, 73-1222, 73-  
6 1223, 73-1225, 73-1231, 73-1232, 73-1233, 73-1234, 73-1235, 73-  
7 1236, 73-1238, 73-1239, 73-1241, 73-1242, 73-1243, 75-3370, 75-  
8 4362, 76-6b05, 76-1904, 76-1904a, 76-1906, 76-1908, 76-1927, 76-  
9 1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-1936, 76-  
10 1939, 76-1941, 76-1951, 76-1952, 76-1953, 76-1954, 76-1955, 76-  
11 1956, 76-1957, 76-1958 and 79-3221k and K.S.A. 2023 Supp. 32-934,  
12 74-2012, 75-3740 and 77-440 and repealing the existing sections; also  
13 repealing K.S.A. 73-1208d, 73-1208e and 73-1208f.

14

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

16 New Section 1. (a) The Kansas commission on veterans affairs office  
17 and the office of the director of the Kansas commission on veterans affairs  
18 office that were created by K.S.A. 73-1208e, and amendments thereto, are  
19 hereby abolished.

20 (b) All powers, duties and functions of the Kansas commission on  
21 veterans affairs office and the director of the Kansas commission on  
22 veterans affairs office under K.S.A. 73-1208e and 73-1208f, and  
23 amendments thereto, are hereby transferred and imposed upon the Kansas  
24 office of veterans services and the director of the Kansas office of veterans  
25 services.

26 (c) The Kansas commission on veterans affairs office, as established  
27 by K.S.A. 73-1208e, and amendments thereto, is hereby renamed the  
28 Kansas office of veterans services and the director of the Kansas  
29 commission on veterans affairs is renamed the director of the Kansas  
30 office of veterans services.

31 (d) Whenever the Kansas commission on veterans affairs office, or  
32 words of like effect, are referred to or designated by a statute, contract or  
33 other document, and such reference or designation is in regard to any  
34 function, power or duty of the Kansas commission on veterans affairs

1 office, such reference or designation shall be deemed to apply to the  
2 Kansas office of veterans services.

3 (e) Whenever the director of the Kansas commission on veterans  
4 affairs office, or words of like effect, are referred to or designated by a  
5 statute, contract or other document, and such reference or designation is in  
6 regard to any function, power or duty of the director of the Kansas  
7 commission on veterans affairs office, such reference or designation shall  
8 be deemed to apply to the director of the Kansas office of veterans  
9 services.

10 (f) All rules and regulations, orders and directives of the director of  
11 Kansas commission on veterans affairs office that are in effect on the  
12 effective date of this act shall continue to be effective and shall be deemed  
13 to be rules and regulations, orders and directives of the director of the  
14 Kansas office of veterans services until amended, revoked or nullified  
15 pursuant to law.

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

30 (b) All budgeting, purchasing and related management functions of  
31 the Kansas office of veterans services, shall be administered under the  
32 direction and supervision of the director of the Kansas office of veterans  
33 services.

34 (c) All vouchers for expenditures from appropriations to or for the  
35 Kansas office of veterans services shall be approved by the director of the  
36 Kansas office of veterans services or a person or persons designated by the  
37 director for such purpose.

38 (d) The provisions of the Kansas governmental operations  
39 accountability law apply to the Kansas office of veterans services, and the  
40 office is subject to audit, review and evaluation under such law.

41 New Sec. 3. The Kansas office of veterans services shall be  
42 responsible for carrying out the general policies of the governor and the  
43 director of the Kansas office of veterans services by:

1 (a) Affording and furnishing to veterans, and relatives and dependents  
2 of such veterans, information, advice, direction and assistance through the  
3 coordination of programs and services in the fields of education, health,  
4 vocational guidance and placement, mental care and economic security;  
5 and

6 (b) managing, operating and controlling the Kansas soldiers' home  
7 and the Kansas veterans' home.

8 Sec. 4. K.S.A. 21-6630 is hereby amended to read as follows: 21-  
9 6630. (a) Upon motion of the defendant at the time of conviction or prior  
10 to sentencing, a defendant convicted of a criminal offense may assert that  
11 such defendant committed such offense as a result of an injury, including  
12 major depressive disorder, polytrauma, post-traumatic stress disorder or  
13 traumatic brain injury, connected to service in a combat zone in the armed  
14 forces of the United States of America. The court shall hold a hearing to  
15 determine whether the defendant:

16 (1) Has served in the armed forces of the United States of America in  
17 a combat zone, as defined in section 112 of the federal internal revenue  
18 code of 1986. Proof of such service shall consist of a certification by the  
19 ~~executive~~ director of the ~~Kansas commission on veterans affairs~~ *office of*  
20 *veterans services* in accordance with K.S.A. 73-1209, and amendments  
21 thereto;

22 (2) suffers from injury; and

23 (3) such injury was connected to service in a combat zone in the  
24 armed forces of the United States of America.

25 (b) (1) Except as provided in subsection (b)(2), if the court  
26 determines that such defendant meets the criteria provided in subsection  
27 (a) and such defendant's current crime of conviction and criminal history  
28 fall within a presumptive nonprison category under the sentencing  
29 guidelines, the court may order such defendant to undergo inpatient or  
30 outpatient treatment from any treatment facility or program operated by  
31 the United States department of defense, the United States department of  
32 veterans affairs or the Kansas national guard, if the defendant is eligible  
33 for and consents to such treatment.

34 (2) If the court determines that such defendant meets the criteria  
35 provided in subsection (a), such defendant is ineligible for treatment  
36 pursuant to subsection (b)(1) and such defendant meets the requirements  
37 established in K.S.A. 21-6824, and amendments thereto, the provisions of  
38 K.S.A. 21-6824, and amendments thereto, shall apply.

39 (c) Nothing in this section shall be construed to limit the court's  
40 authority to:

41 (1) Order any other sanction pursuant to K.S.A. 21-6602 or 21-6604,  
42 and amendments thereto;

43 (2) order a mental examination pursuant to K.S.A. 22-3429, and

1 amendments thereto;

2 (3) order commitment pursuant to K.S.A. 22-3430 et seq., and  
3 amendments thereto; or

4 (4) determine that a person is a mentally ill person subject to  
5 involuntary commitment for care and treatment as defined in K.S.A. 59-  
6 2946, and amendments thereto.

7 (d) As used in this section:

8 (1) "Major depressive disorder" and "post-traumatic stress disorder"  
9 mean the same as such terms are defined in the diagnostic and statistical  
10 manual of mental disorders, fifth edition (DSM-5, 2013), of the American  
11 psychiatric association and that occurred as a result of events during the  
12 defendant's service in one or more combat zones.

13 (2) "Polytrauma" means injury to multiple body parts and organ  
14 systems that occurred as a result of events during the defendant's service in  
15 one or more combat zones.

16 (3) "Traumatic brain injury" means injury to the brain caused by  
17 physical trauma that occurred as a result of events during the defendant's  
18 service in one or more combat zones.

19 (e) This section shall be a part of and supplemental to the Kansas  
20 criminal code.

21 Sec. 5. K.S.A. 2023 Supp. 32-934 is hereby amended to read as  
22 follows: 32-934. (a) Subject to the provisions of K.S.A. 32-920, and  
23 amendments thereto, the secretary of wildlife and parks or the secretary's  
24 designee shall issue, free of charge, a permanent license to hunt and fish to  
25 any person residing in the state who submits to the secretary satisfactory  
26 proof that the person is a disabled veteran. Any such person hunting or  
27 fishing in this state shall be subject to the provisions of all rules and  
28 regulations relating to hunting or fishing.

29 (b) As used in this section, "disabled veteran" means a person who:

30 (1) Was a member of the armed services;

31 (2) has separated from the armed services under honorable  
32 conditions; and

33 (3) has a disability certified by the ~~Kansas commission on veterans~~  
34 ~~affairs~~ office of *veterans services* as being service-connected and such  
35 service-connected disability is equal or greater than 30%.

36 Sec. 6. K.S.A. 39-923 is hereby amended to read as follows: 39-923.

37 (a) As used in this act:

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

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

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

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

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

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

1 an intermittent or limited term basis, or if limited in scope, a regular basis.

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

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

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

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

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

42 (12) "Supervised nursing care" means services provided by or under  
43 the guidance of a licensed nurse with initial direction for nursing

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

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

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

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

15 (16) "Licensing agency" means the secretary for aging and disability  
16 services.

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

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

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

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

25 (21) "Operator" means an individual registered pursuant to the  
26 operator registration act, K.S.A. 39-973 et seq., and amendments thereto,  
27 who may be appointed by a licensee to have the authority and  
28 responsibility to oversee an assisted living facility or residential healthcare  
29 facility with fewer than 61 residents, a home plus or adult day care facility.

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

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

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

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

41 ~~The term~~ "Intermediate personal care home" for purposes of  
42 those individuals applying for or receiving veterans' benefits means  
43 residential healthcare facility.

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

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

12 (29) "Licensee" means any person or persons acting jointly or  
13 severally who are licensed by the secretary for aging and disability  
14 services pursuant to the adult care home licensure act, K.S.A. 39-923 et  
15 seq., and amendments thereto.

16 (30) "Insolvent" means that the adult care home, or any individual or  
17 entity that operates an adult care home or appears on the adult care home  
18 license, has stopped paying debts in the ordinary course of business or is  
19 unable to pay debts as they come due in the ordinary course of business.

20 (b) ~~The term~~ "Adult care home" does not include institutions operated  
21 by federal or state governments, except institutions operated by the  
22 director of the ~~Kansas commission on veterans affairs~~ *office of veterans*  
23 *services*, hospitals or institutions for the treatment and care of psychiatric  
24 patients, child care facilities, maternity centers, hotels, offices of  
25 physicians or hospices that are certified to participate in the medicare  
26 program under 42 C.F.R. § 418.1 et seq., and that provide services only to  
27 hospice patients, or centers approved by the centers for medicare and  
28 medicaid services as a program for all-inclusive care for the elderly  
29 (PACE) under 42 C.F.R. § 460 et seq., that provides services only to PACE  
30 participants.

31 (c) Nursing facilities in existence on the effective date of this act  
32 changing licensure categories to become residential healthcare facilities  
33 shall be required to provide private bathing facilities in a minimum of 20%  
34 of the individual living units.

35 (d) Facilities licensed under the adult care home licensure act on the  
36 day immediately preceding the effective date of this act shall continue to  
37 be licensed facilities until the annual renewal date of such license and may  
38 renew such license in the appropriate licensure category under the adult  
39 care home licensure act subject to the payment of fees and other conditions  
40 and limitations of such act.

41 (e) Nursing facilities with less than 60 beds converting a portion of  
42 the facility to residential healthcare shall have the option of licensing for  
43 residential healthcare for less than six individuals but not less than 10% of



1 the total bed count within a contiguous portion of the facility.

2 (f) The licensing agency may by rule and regulation change the name  
3 of the different classes of homes when necessary to avoid confusion in  
4 terminology and the agency may further amend, substitute, change and in a  
5 manner consistent with the definitions established in this section, further  
6 define and identify the specific acts and services that shall fall within the  
7 respective categories of facilities so long as the above categories for adult  
8 care homes are used as guidelines to define and identify the specific acts.

9 Sec. 7. K.S.A. 65-1732 is hereby amended to read as follows: 65-  
10 1732. (a) A funeral establishment, branch establishment or crematory  
11 which has possession of the cremated remains of a dead human body may  
12 dispose of the cremated remains, if:

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

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

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

24 (b) Such disposal under subsection (a) shall include burial by placing  
25 the remains in a church or cemetery plot, scatter garden, pond; or  
26 columbarium; relinquishing possession of the cremated remains of  
27 veterans to the director of the Kansas commission of veterans affairs  
28 office, or the director's designee, or a national cemetery in accordance with  
29 the provisions of subsection (c); or otherwise disposing of the remains as  
30 provided by rule and regulation of the board of mortuary arts. Disposition  
31 may include the commingling of the cremated remains with other  
32 cremated remains and thus the cremated remains would not be  
33 recoverable.

34 (c) (1) A funeral establishment, branch establishment or crematory  
35 which has held in its possession cremated remains for more than 90 days  
36 from the date of cremation and has provided notice pursuant to subsection  
37 (a) and the cremated remains remain unclaimed may, in accordance with  
38 the provisions of this section, determine if such cremated remains are  
39 those of a veteran, and if so, may dispose of such remains as provided in  
40 this section.

41 (2) Notwithstanding any law or rules and regulations to the contrary,  
42 nothing in this section shall prevent a funeral establishment, branch  
43 establishment or crematory from sharing information with the United

1 States department of veterans affairs or the ~~Kansas commission on~~  
2 ~~veterans affairs~~ office of *veterans services* for the purpose of determining  
3 whether the cremated remains are those of a veteran. A funeral  
4 establishment, branch establishment, crematory, funeral director, assistant  
5 funeral director or crematory operator shall be discharged from any legal  
6 obligations or liability with regard to the releasing or sharing of  
7 information with such entities.

8 (3) Should a funeral establishment, branch establishment or  
9 crematory ascertain the cremated remains in its possession are those of a  
10 veteran and they are unclaimed cremated remains to be disposed of  
11 pursuant to provisions of subsection (a), the funeral establishment, branch  
12 establishment or crematory may relinquish possession of the cremated  
13 remains to the director of the ~~Kansas commission on veterans affairs~~ office  
14 of *veterans services*, or the director's designee, or a national cemetery for  
15 disposition. Disposition shall be by placement of cremated remains in a  
16 tomb, mausoleum, crypt, niche in a columbarium or burial in a cemetery  
17 but shall not include the scattering of cremated remains.

18 (d) Nothing in this section shall require a funeral establishment,  
19 branch establishment or crematory to determine or seek others to  
20 determine that an individual's cremated remains are those of a veteran if  
21 the funeral establishment, branch establishment or crematory was  
22 informed by the person in control of the disposition that *such individual*:

23 (1) ~~Such individual~~ Was not a veteran; or

24 (2) ~~such individual~~ did not desire any funeral or burial-related  
25 services or ceremonies recognizing service as a veteran.

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

32 Sec. 8. K.S.A. 65-2418 is hereby amended to read as follows: 65-  
33 2418. (a) (1) The secretary shall fix and charge by rules and regulations the  
34 fees to be paid for certified copies or abstracts of certificates or for search  
35 of the files for birth, death, fetal death, marriage or divorce records when  
36 no certified copy or abstract is made. Except as otherwise provided in this  
37 section, the secretary shall remit all moneys received by or for the  
38 secretary from fees, charges or penalties, under the uniform vital statistics  
39 act, and amendments thereto, to the state treasurer in accordance with the  
40 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
41 each such remittance, the state treasurer shall deposit the entire amount in  
42 the state treasury to the credit of the civil registration and health statistics  
43 fee fund created by K.S.A. 65-2418e, and amendments thereto.

1 (2) The secretary shall not charge any fee for a certified copy of a  
2 certificate or abstract or for a search of the files or records if the certificate,  
3 abstract or search is requested by a person who exhibits correspondence  
4 from the United States department of veterans affairs or the Kansas  
5 ~~commission on veterans affairs office~~ *which office of veterans services*  
6 *that* indicates that the person is applying for benefits from the United  
7 States department of veterans affairs and that such person needs the  
8 requested information to obtain such benefits, except that, for a second or  
9 subsequent certified copy of a certificate, abstract or search of the files  
10 requested by the person, the usual fee shall be charged. The secretary may  
11 provide by rules and regulations for exemptions from such fees.

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

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

41 (5) Upon receipt of any such remittance of a fee for a certified copy  
42 of a death certificate or abstract, \$4 of each such fee for the first certified  
43 copy of a death certificate or abstract and \$2 of each such fee for each

1 additional copy of the same death certificate or abstract requested at the  
2 same time shall be remitted to the state treasurer in accordance with the  
3 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
4 each such remittance, the state treasurer shall deposit the entire amount in  
5 the state treasury to the credit of the district coroners fund created by  
6 K.S.A. 22a-245, and amendments thereto. The balance of the money  
7 received for a fee for a certified copy of a death certificate or abstract shall  
8 be remitted to the state treasurer in accordance with the provisions of  
9 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
10 remittance, the state treasurer shall deposit the entire amount in the state  
11 treasury to the credit of the civil registration and health statistics fee fund  
12 created by K.S.A. 65-2418e, and amendments thereto.

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

19 Sec. 9. K.S.A. 73-209 is hereby amended to read as follows: 73-209.

20 (a) On submission to the adjutant general of an original discharge or other  
21 official record of military service of any soldier, sailor or marine of the  
22 United States, or of a copy of such discharge or official record of military  
23 service certified to by a city, county or state official as being a true copy of  
24 original document, the adjutant general shall place such record on file in  
25 the adjutant general's office. If original documents are submitted, the  
26 adjutant general shall cause true copies of such original documents to be  
27 made and shall file the copies in the adjutant general's office and the  
28 originals shall be returned to the person who submitted them.

29 (b) Upon request of a soldier, sailor or marine whose records of  
30 military service have been filed in the adjutant general's office, the  
31 adjutant general shall cause to be furnished a certificate of military service  
32 in accordance with such records. The adjutant general shall not charge any  
33 fee for the certificate if the certificate is requested by a person who  
34 exhibits correspondence from the United States veterans administration or  
35 the ~~Kansas commission on veterans affairs office~~ *office of veterans*  
36 *services that* indicates that ~~the~~ *such* person is applying for benefits from  
37 the United States veterans administration and that such person needs the  
38 certificate to obtain such benefits.

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

1 Sec. 10. K.S.A. 73-210 is hereby amended to read as follows: 73-210.

2 (a) No city, county or state official shall charge a fee for certifying to the  
3 correctness of a true copy of an original discharge or other official record  
4 of military service of any soldier, sailor or marine of the United States,  
5 except that:

6 (a)(1) The adjutant general may charge a fee unless the copy is  
7 requested by a person who exhibits correspondence from the United States  
8 veterans administration or the ~~Kansas commission on veterans affairs~~  
9 ~~office which~~ *office of veterans services* that indicates that ~~the~~ *such* person  
10 is applying for benefits from the United States veterans administration and  
11 that such person needs the copy to obtain such benefits; and

12 (b)(2) a register of deeds of a county may charge a fee for copies in  
13 excess of the number provided for by K.S.A. 73-210a, and amendments  
14 thereto.

15 Sec. 11. K.S.A. 73-230 is hereby amended to read as follows: 73-230.

16 (a) In awarding any contract for the performance of any job or service for  
17 which moneys appropriated are to be expended, the secretary of  
18 administration, or the secretary's designee, shall give a preference to  
19 disabled veteran businesses doing business as Kansas firms, corporations  
20 or individuals, or which maintain Kansas offices or places of business and  
21 shall have the goal of awarding at least 3% of all such contracts to disabled  
22 veteran businesses.

23 (b) ~~On or before October 1, 2015, the secretary of administration~~  
24 ~~shall file with the Kansas commission on veterans affairs a report of the~~  
25 ~~number of contracts awarded to disabled veteran businesses during the~~  
26 ~~fiscal year ending June 30, 2015, and the number of such businesses that~~  
27 ~~responded to solicitations of bids or proposals issued by the department of~~  
28 ~~administration during such fiscal year.~~

29 (e)(b) As used in this section:

30 (1) "Disabled veteran" means a person who has served in the armed  
31 forces of the United States and who is entitled to compensation for a  
32 service-connected disability, according to the laws administered by the  
33 veterans administration, or who is entitled to compensation for the loss, or  
34 permanent loss of use, of one or both feet or one or both hands, or for  
35 permanent visual impairment of both eyes to a prescribed degree.

36 (2) "Disabled veteran business" means a business: (A) Not less than  
37 51% of which is owned by one or more disabled veterans or, in the case of  
38 a publicly owned business, not less than 51% of the stock of which is  
39 owned by one or more disabled veterans; and (B) the management and  
40 daily business operations of which are controlled by one or more disabled  
41 veterans.

42 Sec. 12. K.S.A. 73-1209 is hereby amended to read as follows: 73-  
43 1209. The director of the ~~Kansas commission on veterans affairs~~ *office of*

1 *veterans services*, in accordance with general policies directed by the  
2 governor, shall:

3 (a) Collect data and information as to the facilities, benefits and  
4 services now or hereafter available to veterans, and relatives and  
5 dependents of such veterans, and furnish such information to veterans, and  
6 relatives and dependents of such veterans, and local service officers of  
7 veterans' organizations.

8 (b) Prepare plans for a comprehensive statewide veterans' service  
9 program.

10 (c) Coordinate the program of state agencies which may properly be  
11 utilized in the administration of various aspects of the problems of  
12 veterans, and relatives and dependents of veterans, such as the Kansas  
13 department for children and families, the department of labor, the state  
14 board of education, the board of regents and any other state office,  
15 department or board furnishing service to veterans or relatives or  
16 dependents of such veterans.

17 (d) Provide a central contact between federal and state agencies  
18 dealing with the problems of veterans and relatives and dependents of such  
19 veterans.

20 (e) Maintain records of cases handled by the director which shall  
21 show at least the following information: (1) The name of the veteran; (2)  
22 the claim or case number of the veteran; and (3) the amount of monthly  
23 benefit received by the veteran, so as to facilitate the necessary  
24 interchange of case histories among state administrative agencies and  
25 provide a clearinghouse of information.

26 (f) Provide such services to veterans and relatives and dependents of  
27 such veterans as are not otherwise offered by federal agencies.

28 (g) Provide a central agency to which veterans, and relatives and  
29 dependents of such veterans, may turn for information and assistance.

30 (h) Provide and maintain such field services as shall be necessary to  
31 properly care for the needs of veterans, and relatives and dependents of  
32 such veterans, which shall not be operated in connection with the Kansas  
33 department for children and families.

34 (i) Provide certification of service of a veteran of the armed forces of  
35 the United States of America in a combat zone to any sentencing judge  
36 requesting such certification pursuant to K.S.A. 21-6630, and amendments  
37 thereto.

38 (j) Adopt, amend or revoke any rules and regulations necessary to  
39 carry out the provisions of article 12 of chapter 73 and article 19 of chapter  
40 76 of the Kansas Statutes Annotated, and amendments thereto.

41 (k) Appoint and oversee the superintendents of the Kansas soldiers'  
42 home and Kansas veterans' home.

43 (l) Designate persons who shall be in charge of the member funds at

1 the Kansas soldiers' home under K.S.A. 76-1935, and amendments thereto,  
2 and the Kansas veterans' home under K.S.A. 76-1956, and amendments  
3 thereto.

4 (m) Appoint and oversee the deputy director of veterans services  
5 pursuant to K.S.A. 73-1234, and amendments thereto.

6 (n) (1) Annually prepare and submit a written report to the house  
7 committee on veterans, military and homeland security and to the  
8 governor, providing the following:

9 (A) Any progress made by the Kansas ~~commission on veterans affairs~~  
10 office *of veterans services* and its director in response to any  
11 recommendations provided to such office in the preceding fiscal year by  
12 the legislative division of post audit;

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

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

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

22 (E) any other information deemed necessary.

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

26 Sec. 13. K.S.A. 73-1210a is hereby amended to read as follows: 73-  
27 1210a. (a) Except as otherwise provided by law, and subject to the Kansas  
28 civil service act, the director of the Kansas ~~commission on veterans affairs~~  
29 office *of veterans services* shall appoint:

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

34 (2) the superintendent of the Kansas soldiers' home;

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

36 (4) the deputy director of veterans services pursuant to K.S.A. 73-  
37 1234, and amendments thereto.

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

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

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

29 (d) (1) Except as otherwise provided by law, and subject to the  
30 Kansas civil service act, the director of the ~~Kansas commission on~~  
31 ~~veterans affairs~~ office of *veterans services* shall appoint subordinate  
32 officers and employees, a superintendent of the Kansas soldiers' home and  
33 a superintendent of the Kansas veterans' home, as shall be necessary to  
34 enable the director of the ~~Kansas commission on veterans affairs~~ office of  
35 *veterans services* to exercise or perform its functions, powers and duties  
36 pursuant to the provisions of article 19 of chapter 76 of the Kansas Statutes  
37 Annotated, and amendments thereto.

38 (2) (A) All subordinate officers and employees shall be within the  
39 classified service under the Kansas civil service act, shall perform such  
40 duties and exercise such powers as the director of the ~~Kansas commission~~  
41 ~~on veterans affairs~~ office of *veterans services* may prescribe and such  
42 duties and powers as are designated by law, and shall act for and exercise  
43 the powers of the the director of the ~~Kansas commission on veterans~~



1 ~~affairs~~ office *of veterans services*.

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

9 (C) The superintendent of the Kansas veterans' home shall be in the  
10 unclassified service under the Kansas civil service act and shall receive an  
11 annual salary fixed by the director of the Kansas ~~commission on veterans~~  
12 ~~affairs~~ office *of veterans services*, with the approval of the governor. The  
13 superintendent of the Kansas veterans' home shall perform such duties and  
14 exercise such powers as the director may prescribe, and such duties and  
15 powers as are prescribed by law.

16 (e) Any veterans service representative appointed by the director of  
17 the Kansas ~~commission on veterans affairs~~ office *of veterans services* shall  
18 be an honorably discharged veteran or retired from the United States  
19 armed forces. No veterans service representative of the Kansas  
20 ~~commission on veterans affairs~~ office *of veterans services* shall take a  
21 power of attorney in the name of the director of the Kansas ~~commission on~~  
22 ~~veterans affairs~~ office *of veterans services*. Nothing in this act shall be  
23 construed to prohibit any such veterans service representative from  
24 assisting any veteran with any claim in which a power of attorney is not  
25 required.

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

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

31 (2) Providing information and assistance to veterans and dependents  
32 in obtaining special services and benefits based on knowledge of federal  
33 and state laws, policies and regulations pertaining to veterans benefits and  
34 services.

35 (3) Providing assistance to veterans service organizations  
36 participating in the veterans claims assistance program.

37 ~~(f) Nothing in this act shall be construed to affect the status, rights or~~  
38 ~~benefits of any officer or employee of the Kansas commission on veterans~~  
39 ~~affairs under K.S.A. 73-1208a, prior to its repeal, employed by such~~  
40 ~~commission on July 1, 2014.~~

41 Sec. 14. K.S.A. 73-1211 is hereby amended to read as follows: 73-  
42 1211. All claims filed with the federal veterans' administration by the  
43 director of the Kansas ~~commission on veterans affairs~~ office *of veterans*

1 *services* shall be prosecuted by an accredited representative of one of the  
2 participating veterans' organizations. No employee of any veterans'  
3 organization shall participate in or receive any funds hereinafter  
4 appropriated or made available to the director of the Kansas ~~commission~~  
5 ~~on veterans affairs~~ office of *veterans services* unless such employing  
6 veterans' organization shall prosecute any and all claims to the federal  
7 veterans' administration that are referred to them or their employees by the  
8 director of the Kansas ~~commission on veterans affairs~~ office of *veterans*  
9 *services*.

10 Sec. 15. K.S.A. 73-1217 is hereby amended to read as follows: 73-  
11 1217. The board of trustees of every community college, the board of  
12 regents of Washburn university of Topeka, the governing board of every  
13 technical college and the governing body of every other institution of post-  
14 high school education which is supported by any state moneys shall  
15 provide for enrollment without charge of tuition or fees for any dependent  
16 of a prisoner of war or a person missing in action, so long as such  
17 dependent is eligible, but not to exceed 12 semesters of instruction or the  
18 equivalent thereof at all such institutions for any person if the person  
19 started such instruction prior to July 1, 2005, or 10 semesters if the person  
20 started such instruction on or after July 1, 2005. Once a person qualifies as  
21 a dependent under the terms and provisions of this act, no occurrence, such  
22 as the return of the dependent's parent or such parent's reported death, shall  
23 disqualify the dependent from the provisions or benefits of this act. The  
24 state board of regents, the board of trustees of any community college, or  
25 the governing body of any other institution which grants tuition for fees  
26 without charge to a dependent under this act may file a claim with the  
27 director of the Kansas ~~commission on veterans affairs~~ office of *veterans*  
28 *services* for reimbursement of the amount of such tuition or fees. The  
29 director of the Kansas ~~commission on veterans affairs~~ office of *veterans*  
30 *services* shall administer this act and qualifications of persons as  
31 dependents shall be determined by such director. Such director may adopt  
32 rules and regulations making more specific the definitions herein  
33 contained and for the administration of this act.

34 Sec. 16. K.S.A. 73-1218 is hereby amended to read as follows: 73-  
35 1218. (a) The state board of regents, the board of trustees of every  
36 community college, the board of regents of Washburn university of  
37 Topeka, the governing board of every technical college and the governing  
38 body of every other institution of post-high school education which is  
39 supported by any state moneys shall provide for enrollment without charge  
40 of tuition or fees for any dependent of a person who died as the result of a  
41 service-connected disability suffered during the Vietnam conflict as a  
42 result of such conflict, so long as such dependent is eligible, but not to  
43 exceed 12 semesters of instruction or the equivalent thereof at all such

1 institutions for any person. Once a person qualifies as a dependent under  
2 the terms and provisions of this act, no occurrence, such as the return of  
3 the dependent's father or mother, shall disqualify the dependent from the  
4 provisions or benefits of this act. The governing body of every institution  
5 of post-high school education which is supported by any state moneys and  
6 which grants tuition or fees without charge to a dependent under this act  
7 may file a claim with the director of the Kansas-~~commission on veterans~~  
8 ~~affairs~~ office of *veterans services* for reimbursement of the amount of such  
9 tuition or fees. The director of the Kansas-~~commission on veterans~~  
10 ~~affairs~~ office of *veterans services* shall administer this act and the qualification of  
11 persons as dependents shall be determined by such director. Such director  
12 may adopt rules and regulations making more specific the definition herein  
13 contained and for the administration of this act.

14 (b) *As used in this act, "dependent"*~~as used in this act shall mean~~  
15 *means* any child born to, legally adopted by, or in the legal custody of a  
16 person who was a resident of the state of Kansas at the time such person  
17 entered service of the United States armed forces and who, while serving  
18 in the ~~U.S.~~ *United States* armed forces in the geographical area of the  
19 Vietnam conflict, has been declared to be a person who died as the result  
20 of a service-connected disability suffered during the Vietnam conflict as a  
21 result of such conflict.

22 Sec. 17. K.S.A. 73-1222 is hereby amended to read as follows: 73-  
23 1222. As used in K.S.A. 73-1221 through 73-1231, and amendments  
24 thereto, unless the context clearly indicates otherwise:

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

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

30 (c) "Director" means the director of the Kansas-~~commission on~~  
31 ~~veterans affairs~~ office of *veterans services*.

32 (d) "Gulf War syndrome" means the wide range of physical and  
33 mental conditions, problems and illnesses that are connected with service  
34 in the armed forces of the United States during and in the area of  
35 operations of the Persian Gulf War.

36 (e) "Veteran" means a person who is a resident of Kansas who was a  
37 member of the armed forces of the United States of America and who  
38 served in such armed forces in the area of operations of the Persian Gulf  
39 War during the Persian Gulf War or thereafter regardless of whether such  
40 person is still actively serving in the armed forces or reserve.

41 Sec. 18. K.S.A. 73-1223 is hereby amended to read as follows: 73-  
42 1223. (a) There is hereby established with the Kansas-~~commission on~~  
43 ~~veterans affairs~~ office of *veterans services* an advisory board known to be

1 the Persian Gulf War veterans health initiative board. The board shall be  
2 advisory to the director in the implementation and administration of this  
3 act.

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

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

10 (2) One member shall be qualified from each of the medical  
11 specializations of epidemiology, toxicology and genetics. One member  
12 shall be qualified in one of the behavioral sciences in the specialty area of  
13 family dynamics. The director shall notify one or more professional  
14 societies or associations which represent the medical or behavioral science  
15 specialty area required and request a list of three nominations from that  
16 specialty area, of which the director shall appoint one member of the board  
17 from each list.

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

23 (c) ~~Within 90 days of the effective date of this act,~~ The governor, the  
24 director, the speaker of the house of representatives and the president of  
25 the senate shall appoint the initial members of the board. Of the initial  
26 appointments to the board by the governor, one shall be for a term of one  
27 year, one shall be for a term of two years and one shall be for a term  
28 ending three years after the date of the initial appointment. Of the initial  
29 appointments to the board by the director, two shall be for a term of one  
30 year, one shall be for a term of two years and one shall be for a term  
31 ending three years after the date of the initial appointment. After the initial  
32 appointments, terms of office of the members appointed by the governor or  
33 the director shall be for three years, but no person shall be appointed for  
34 more than two successive three-year terms. The term of office of each  
35 member appointed by the speaker of the house of representatives or the  
36 president of the senate shall end on the first day of the regular session of  
37 the legislature which commences in the first odd-numbered year occurring  
38 after the year such member was appointed.

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

1 fill the unexpired term in accordance with this section. In the case of any  
2 vacancy occurring in the position of a board member who was appointed  
3 from a list of nominations submitted by a veterans' organization, the  
4 governor shall notify that veterans' organization of the vacant position and  
5 request a list of three nominations of veterans from which the governor  
6 shall appoint a successor to the board. In the case of any vacancy  
7 occurring in the position of a board member who is qualified in one of the  
8 specialty areas listed in subsection—~~(b)(3)~~ (b)(2) after the initial  
9 appointments, the director shall notify one or more professional societies  
10 or associations which represent the medical or behavioral science specialty  
11 required for the vacant position and request a list of three nominations  
12 from that specialty area from which the director shall appoint a successor  
13 to the board.

14 (e) Annually, the board shall elect a chairperson, ~~vice-chairperson~~  
15 *vice chairperson* and secretary from among its members and shall meet at  
16 least four times each year at the call of the chairperson.

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

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

32 Sec. 20. 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 director.  
35 All moneys received from any grants from federal or other nonstate  
36 sources, from contributions or from any other source for the purpose of  
37 financing the activities of the board or the development or administration  
38 of the surveys developed by the board under this act, shall be remitted to  
39 the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
40 and amendments thereto. Upon receipt of each such remittance, the state  
41 treasurer shall deposit the entire amount in the state treasury to the credit  
42 of the Persian Gulf War veterans health initiative fund. All expenditures  
43 from the Persian Gulf War veterans health initiative fund shall be for the

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

8 Sec. 21. K.S.A. 73-1232 is hereby amended to read as follows: 73-  
9 1232. (a) The director of the ~~Kansas commission on veterans affairs~~ office  
10 *of veterans services* is hereby authorized to establish and maintain a state  
11 system of veterans cemeteries. For the purposes of such system, the  
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 director may lease, purchase or otherwise acquire title to real property  
17 for the state system of veterans cemeteries. Subject to the provisions of  
18 subsection (b), the director may enter into contracts for the purpose of  
19 establishing and maintaining the system of veterans cemeteries.

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

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

29 Sec. 22. K.S.A. 73-1233 is hereby amended to read as follows: 73-  
30 1233. (a) As used in this section "memorial for veterans" means a capital  
31 improvement or other suitable memorial for Kansas veterans who served  
32 in the armed forces of the United States of America which is proposed to  
33 be located or is located at an institution, building or facility on state-owned  
34 property of the director of the ~~Kansas commission on veterans affairs~~  
35 office *of veterans services* and may include trees, shrubs and other  
36 landscaping.

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

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

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

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

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

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

40 (3) guidelines and procedures to provide that the prior, express  
41 approval of the director of the Kansas ~~commission on veterans affairs~~  
42 office of *veterans services* has been obtained before:

43 (A) The name of the Kansas ~~commission on veterans affairs~~ office of

1 *veterans services* or the name of the Kansas soldiers' home, the Kansas  
2 veterans' home or any other institution, building or facility under the  
3 jurisdiction of the director; or

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

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

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

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

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

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

39 (g) On or before the 10<sup>th</sup> of each month, the director of accounts and  
40 reports shall transfer from the state general fund to the Kansas veterans  
41 memorials fund interest earnings based on:

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



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

3 Sec. 23. K.S.A. 73-1234 is hereby amended to read as follows: 73-  
4 1234. (a) (1) The director of the Kansas ~~commission on veterans affairs~~  
5 office of *veterans services* shall establish and administer a veterans claims  
6 assistance program in accordance with this section to improve the  
7 coordination of veterans benefits counseling in Kansas to maximize the  
8 effective and efficient use of taxpayer dollars and to ensure that every  
9 veteran is served and receives claims counseling and assistance.

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

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

21 ~~(4)~~(3) No employee of the Kansas ~~commission on veterans affairs~~  
22 office of *veterans services* shall act as an agent with power of attorney for  
23 any claimant.

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

31 (c) The director of the Kansas ~~commission on veterans affairs~~ office  
32 of *veterans services* shall adopt rules and regulations to implement and  
33 administer the veterans claims assistance program and the service grant  
34 program. The rules and regulations shall include:

35 (1) The detailed requirements of the veterans claims assistance  
36 program and grant agreements;

37 (2) the responsibilities of all parties to the grant agreements;

38 (3) the duration of the grants;

39 (4) any insurance or bonding requirements;

40 (5) the format and frequency of progress and final reports;

41 (6) the initial and continuing training requirements for veterans  
42 claims assistance representatives;

43 (7) the provisions of a quality assurance program for the veterans

1 claims assistance program and the services performed by veterans service  
2 organizations receiving grants under this section; and

3 (8) any other information or requirements deemed necessary or  
4 appropriate by the director.

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

10 (e) Training activities for veterans claims assistance representatives  
11 shall be the responsibility of the veterans service organization employing  
12 the veterans claims assistance representatives and shall be conducted by  
13 qualified veterans claims assistance representatives.

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

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

19 (2) the veterans service organization shall agree to cross-accredit the  
20 officers and employees of the director of the ~~Kansas commission on~~  
21 ~~veterans affairs~~ office of *veterans services* who are veterans and who work  
22 in the veteran services program, as well as veterans claims assistance  
23 representatives of other veterans service organizations who are performing  
24 services under the veterans claims assistance program, subject to the  
25 following:

26 (A) The person to be cross-accredited shall provide proof to the  
27 deputy director of veterans services that the person has successfully  
28 completed the national association of county veterans service officers  
29 training or equivalent, as determined by the deputy director of veterans  
30 services and that such person shall participate in a minimum of one annual  
31 training session as approved by the deputy director of veterans services as  
32 well as maintain the continuing education requirements of the cross-  
33 accrediting veterans service organization; and

34 (B) the cross-accrediting veterans service organization has reserved  
35 the right to terminate the accreditation if the person fails to meet the  
36 continuing education requirement of the veterans service organization or  
37 participate in a minimum of one annual training session as approved by the  
38 deputy director of veterans services;

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

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

1 (5) demonstrate the ability to comply with the requirements  
2 prescribed by this section or adopted by the director of the Kansas  
3 ~~commission on veterans affairs office under this statute~~ *office of veterans*  
4 *services* for accounting, service work activity and other satisfactory  
5 performance requirements and measures;

6 (6) have established state headquarters in Kansas;

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

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

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

15 (10) have assisted in filing a minimum of 300 claims for veterans for  
16 which the veterans service organization has power of attorney in the past  
17 12-month period;

18 (11) agree to make no reference to membership eligibility on claims  
19 documentation and not solicit membership due to information received on  
20 claim forms;

21 (12) agree to cross-accredit service officers participating in the  
22 service grant program to include service officers of partnered veterans  
23 service organizations and the Kansas ~~commission on veterans affairs~~  
24 *office of veterans services* staff located in the federal veterans administration  
25 regional office and the United States department of veterans affairs  
26 medical centers in Leavenworth and Topeka; and

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

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

37 (h) Each veterans service organization receiving a service grant under  
38 this section shall file with the Kansas ~~commission on veterans affairs~~  
39 *office of veterans services*, within 90 days after the end of the veterans  
40 service organization's fiscal year, a detailed statement prepared by a  
41 certified public accountant which sets forth an accounting of all  
42 expenditures of moneys received under the service grant. Each veterans  
43 service organization receiving a service grant under this section shall apply

1 for the grant funding on an annual basis, shall demonstrate satisfactory  
2 performance based on completion of minimum requirements during the  
3 preceding annual period and shall certify that all veterans service  
4 representatives funded with service grant moneys meet minimum training  
5 requirements to provide for core competencies.

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

10 Sec. 24. K.S.A. 73-1235 is hereby amended to read as follows: 73-  
11 1235. (a) There is hereby established with the ~~Kansas commission on~~  
12 ~~veterans affairs~~ office *of veterans services* an advisory board which shall  
13 be known as the VCAP advisory board. The advisory board shall advise  
14 the director of the ~~Kansas commission on veterans affairs~~ office *of*  
15 *veterans services* on all veterans services, including in the implementation  
16 and administration of the veterans claims assistance program.

17 (b) (1) The advisory board shall consist of at least seven members as  
18 follows:

19 (A) The deputy director of veterans services, who shall be a  
20 permanent member of the advisory board and shall serve as the  
21 chairperson of the advisory board.

22 (B) Each veterans service organization participating in the grant  
23 program shall appoint one member of the advisory board who shall be a  
24 veteran. The deputy director of veterans services shall notify the state level  
25 unit of each national veterans service organization which has an office in  
26 the federal department of veteran affairs regional office in Wichita,  
27 Kansas, and request written confirmation of the intent of the veterans  
28 service organization to participate in the veterans claims assistance  
29 program and to request an annual service grant.

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

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

41 (2) If there are less than two veterans services organizations  
42 participating in the grant program under subsection (b)(1)(B), then the  
43 governor shall appoint the remaining members of the advisory board.

1 Appointments under this paragraph shall not exceed two members.

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

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

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

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

35 Sec. 25. K.S.A. 73-1236 is hereby amended to read as follows: 73-  
36 1236. The legislative budget committee shall annually study and review  
37 the veterans claims assistance program and the service grants program of  
38 the ~~Kansas commission on veterans affairs~~ *office of veterans services*  
39 under this act. The director of the ~~Kansas commission on veterans affairs~~  
40 *office of veterans services* and each veterans service organization ~~which~~  
41 *that* is receiving service grants under this section shall prepare and present  
42 annual reports of activities and expenditures under the veterans claims  
43 assistance program and the service grants program.

1       Sec. 26. K.S.A. 73-1238 is hereby amended to read as follows: 73-  
2 1238. There is hereby created within the Kansas ~~commission on veterans~~  
3 ~~affairs~~ office of *veterans services*, the Vietnam war era medallion program.  
4 Every veteran who honorably served on active duty in the United States  
5 military service at any time beginning February 28, 1961, and ending May  
6 7, 1975, shall be entitled to receive a Vietnam war era medallion, medal  
7 and a certificate of appreciation, provided that *such veteran*:

8       (a) ~~Such veteran~~ Is a legal resident of this state or was a legal resident  
9 of this state at the time the veteran entered or was discharged from military  
10 service or at the time of the veteran's death; and

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

14       Sec. 27. K.S.A. 73-1239 is hereby amended to read as follows: 73-  
15 1239. The Vietnam war era medallion, medal and a certificate shall be  
16 awarded regardless of whether or not such veteran served within the  
17 United States or in a foreign country. The medallion, medal and the  
18 certificate shall be awarded regardless of whether or not such veteran was  
19 under ~~eighteen~~ 18 years of age at the time of enlistment. For purposes of  
20 this ~~bill~~ section, "veteran" means any person defined as a veteran by the  
21 United States department of veterans' affairs or its successor agency. The  
22 director of the Kansas ~~commission on veterans affairs~~ office of *veterans*  
23 *services* shall administer the program and ~~shall~~ adopt all rules and  
24 regulations necessary to administer the program. The agency shall  
25 determine as expeditiously as possible the persons who are entitled to a  
26 Vietnam war era medallion, medal and a certificate and distribute the  
27 medallions, medals and the certificates. Applications for the Vietnam war  
28 era medallion, medal and the certificate shall be filed with the director of  
29 the Kansas ~~commission on veterans affairs office at any time after January~~  
30 ~~1, 2010~~, office of *veterans services* on forms prescribed and furnished by  
31 the director of the Kansas ~~commission on veterans affairs~~ office of  
32 *veterans services*. The deputy director of veteran services shall approve all  
33 applications that are in order, and shall cause a Vietnam war era medallion,  
34 medal and a certificate to be prepared for each approved veteran in the  
35 form approved by the director of the Kansas ~~commission on veterans~~  
36 ~~affairs~~ office of *veterans services*. The deputy director of veteran services  
37 shall review applications for the Vietnam war era medallion, medal and a  
38 certificate to ensure recipients are enrolled for eligible federal benefits.

39       Sec. 28. K.S.A. 73-1241 is hereby amended to read as follows: 73-  
40 1241. If any spouse or eldest living survivor applies for the Vietnam war  
41 era medallion, medal and certificate or if any veteran dies after applying  
42 for a Vietnam war era medallion, medal and a certificate and such veteran  
43 would have been entitled to the Vietnam war era medallion, medal and the

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

5 Sec. 29. K.S.A. 73-1242 is hereby amended to read as follows: 73-  
6 1242. If the director of ~~veteran~~ *the Kansas office of veterans services*  
7 disallows any veteran's claim to a Vietnam war era medallion, medal and a  
8 certificate, a statement of the reason for the disallowance shall be filed  
9 with the application and notice of this disallowance shall be mailed to the  
10 applicant at the applicant's last known address. The director of the ~~Kansas~~  
11 ~~commission on veterans affairs~~ office *of veterans services* shall approve  
12 the form of the Vietnam war era medallion, medal and the certificate. It is  
13 the intent of the legislature to create statewide involvement in the design  
14 of these symbols in recognition of this historic endeavor. The director of  
15 the ~~Kansas commission on veterans affairs~~ office *of veterans services* may  
16 solicit potential designs from elementary and secondary schools, veterans'  
17 groups, civic organizations or any other interested party, and may select  
18 the best design from among such solicited designs or may select another  
19 design.

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

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

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

41 Sec. 31. K.S.A. 2023 Supp. 74-2012 is hereby amended to read as  
42 follows: 74-2012. (a) (1) All motor vehicle records shall be subject to the  
43 provisions of the open records act, except as otherwise provided under the

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

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

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

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

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

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

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

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

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

42 (1) The director of vehicles may provide to a requesting party, and a  
43 requesting party may receive, such a list and accompanying information



1 from motor vehicle records upon written certification that the requesting  
2 party shall use the list solely for the purpose of:

3 (A) Assisting the selective service system in the maintenance of a list  
4 of persons 18 to 26 years of age in this state as required under the  
5 provisions of section 3 of the federal military selective service act;

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

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

14 (D) assisting the ~~Kansas commission on veterans affairs~~ office of  
15 *veterans services* in notifying veterans of the facilities, benefits and  
16 services available to veterans; or

17 (E) any other purpose authorized by the driver's privacy protection  
18 act, 18 U.S.C. § 2721, as it existed on January 1, 2018.

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 subsection (c)(2), the law enforcement  
29 agency shall charge the fee prescribed by the secretary of revenue pursuant  
30 to K.S.A. 74-2022, and amendments thereto, for any copies furnished and  
31 may charge an additional fee to be retained by the law enforcement agency  
32 to cover its cost of providing such copies. The fee prescribed pursuant to  
33 K.S.A. 74-2022, and amendments thereto, shall be paid monthly to the  
34 secretary of revenue and upon receipt thereof shall be deposited in the  
35 state treasury to the credit of the electronic databases fee fund, except for  
36 the \$1 of the fee for each record required to be credited to the highway  
37 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 subsection (c)(1), and such fee shall not be less  
6 than the cost of production or reproduction of any full or partial motor  
7 vehicle record requested. One dollar shall be credited to the highway  
8 patrol training center fund for each motor vehicle record provided by the  
9 division of vehicles, except for fees charged:

10 (1) Pursuant to a contract for motor vehicle records authorized by this  
11 subsection pertaining to motor vehicle titles or motor vehicle registrations;  
12 or

13 (2) for motor vehicle records authorized for disclosure pursuant to  
14 subsection (c)(1)(E) for the purposes of:

15 (A) Assisting an insurer authorized to do business in this state, or the  
16 insurer's authorized agent, in conducting antifraud activities; or

17 (B) assisting any federal, state or local agency, including any court or  
18 law enforcement agency, or any private person acting on behalf of such  
19 agencies, in carrying out the functions required of such governmental  
20 agency.

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

23 Sec. 32. K.S.A. 75-3370 is hereby amended to read as follows: 75-  
24 3370. (a) The secretary for aging and disability services is hereby  
25 authorized to enter into an interagency agreement with the secretary of  
26 corrections and the director of the ~~Kansas-commission-on-veterans-affairs~~  
27 *office of veterans services* transferring the charge, care, management and  
28 control of the Winfield state hospital and training center property to the  
29 department of corrections and the ~~Kansas-commission-on-veterans-affairs~~  
30 *office of veterans services* in accordance with the current uses of the  
31 Winfield state hospital and training center property and as agreed upon by  
32 the secretary of corrections and the director of the ~~Kansas-commission-on-~~  
33 ~~veterans-affairs~~ *office of veterans services*.

34 (b) At such time as specific title descriptions to the portion of the  
35 Winfield state hospital and training center property that is transferred to  
36 the charge, care, management and control of the department of corrections  
37 and the portion of the Winfield state hospital and training center property  
38 that is transferred to the charge, care, management and control of the  
39 director of the ~~Kansas-commission-on-veterans-affairs~~ *office of veterans*  
40 *services* have been determined and are available, the secretary for aging  
41 and disability services shall convey, without compensation, title to such  
42 portions of the Winfield state hospital and training center property to the  
43 department of corrections and the ~~Kansas-commission-on-veterans-affairs~~

1 office of veterans services, respectively. The conveyance prescribed by this  
2 section shall not be subject to the provisions of K.S.A. 75-3043a, and  
3 amendments thereto.

4 (c) *As used in this section*, "Winfield state hospital and training center  
5 property" means the state-owned real estate, including any improvements  
6 thereon, which is located in the city of Winfield and Cowley county and  
7 which is described as follows:

8 (1) The Southwest Quarter of Section 14, Township 32 South, Range  
9 4 East of the 6<sup>th</sup> P.M., Cowley County, Kansas;

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

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

22 Sec. 33. K.S.A. 2023 Supp. 75-3740 is hereby amended to read as  
23 follows: 75-3740. (a) Except as provided by K.S.A. 75-3740b, and  
24 amendments thereto, and subsections (b) and (k), all contracts and  
25 purchases made by or under the supervision of the director of purchases or  
26 any state agency for which competitive bids are required shall be awarded  
27 to the lowest responsible bidder, taking into consideration conformity with  
28 the specifications, terms of delivery, and other conditions imposed in the  
29 call for bids.

30 (b) A contract shall be awarded to a certified business or disabled  
31 veteran business which is also a responsible bidder, whose total bid cost is  
32 not more than 10% higher than the lowest competitive bid. Such contract  
33 shall contain a promise by the certified business that the percentage of  
34 employees that are individuals with disabilities will be maintained  
35 throughout the contract term and a condition that the certified business  
36 shall not subcontract for goods or services in an aggregate amount of more  
37 than 25% of the total bid cost.

38 (c) The director of purchases shall have power to decide as to the  
39 lowest responsible bidder for all purchases, but if:

40 (1) (A) A responsible bidder purchases from a qualified vendor goods  
41 or services on the list certified by the director of purchases pursuant to  
42 K.S.A. 75-3317 et seq., and amendments thereto, the dollar amount of  
43 such purchases made during the previous fiscal year shall be deducted

1 from the original bid received from such bidder for the purpose of  
2 determining the lowest responsible bid, except that such deduction shall  
3 not exceed 10% of the original bid received from such bidder; or

4 (B) a responsible bidder purchases from a certified business the dollar  
5 amount of such purchases made during the previous fiscal year shall be  
6 deducted from the original bid received from such bidder for the purpose  
7 of determining the lowest responsible bid, except that such deduction shall  
8 not exceed 10% of the original bid received from such bidder;

9 (2) the dollar amount of the bid received from the lowest responsible  
10 bidder from within the state is identical to the dollar amount of the bid  
11 received from the lowest responsible bidder from without the state, the  
12 contract shall be awarded to the bidder from within the state; and

13 (3) in the case of bids for paper products specified in K.S.A. 75-  
14 3740b, and amendments thereto, the dollar amounts of the bids received  
15 from two or more lowest responsible bidders are identical, the contract  
16 shall be awarded to the bidder whose bid is for those paper products  
17 containing the highest percentage of recycled materials.

18 (d) (1) Any or all bids may be rejected, and a bid shall be rejected if it  
19 contains any material alteration or erasure made after the bid is opened.  
20 The director of purchases may reject the bid of any bidder who is in  
21 arrears on taxes due the state, who is not properly registered to collect and  
22 remit taxes due the state or who has failed to perform satisfactorily on a  
23 previous contract with the state. The secretary of revenue is hereby  
24 authorized to exchange such information with the director of purchases as  
25 is necessary to effectuate the preceding sentence notwithstanding any other  
26 provision of law prohibiting disclosure of the contents of taxpayer records  
27 or information. Prior to determining the lowest responsible bidder on  
28 contracts for construction of buildings or for major repairs or  
29 improvements to buildings for state agencies, the director of purchases  
30 shall consider the:

31 (A) Criteria and information developed by the secretary of  
32 administration, with the advice of the state building advisory commission  
33 to rate contractors on the basis of their performance under similar contracts  
34 with the state, local governmental entities and private entities, in addition  
35 to other criteria and information available; and

36 (B) recommendations of the project architect, or, if there is no project  
37 architect, the recommendations of the secretary of administration or the  
38 agency architect for the project as provided in K.S.A. 75-1254, and  
39 amendments thereto.

40 (2) In any case where competitive bids are required and where all  
41 bids are rejected, new bids shall be called for as in the first instance, unless  
42 otherwise expressly provided by law or the state agency elects not to  
43 proceed with the procurement.

1 (e) Before the awarding of any contract for construction of a building  
2 or the making of repairs or improvements upon any building for a state  
3 agency, the director of purchases shall receive written approval from the  
4 state agency for which the building construction project has been  
5 approved, that the bids generally conform with the plans and specifications  
6 prepared by the project architect, by the secretary of administration or by  
7 the agency architect for the project, as the case may be, so as to avoid error  
8 and mistake on the part of the contractors. In all cases where material  
9 described in a contract can be obtained from any state institution, the  
10 director of purchases shall exclude the same from the contract.

11 (f) All bids with the names of the bidders and the amounts thereof,  
12 together with all documents pertaining to the award of a contract, shall be  
13 made a part of a file or record and retained by the director of purchases for  
14 five years, unless reproduced as provided in K.S.A. 75-3737, and  
15 amendments thereto, and shall be open to public inspection at all  
16 reasonable times.

17 (g) As used in this section:

18 (1) "Certified business" means any business certified as provided by  
19 subsection (l) by the department of administration that is a sole  
20 proprietorship, partnership, association or corporation domiciled in  
21 Kansas, or any corporation, even if a wholly owned subsidiary of a foreign  
22 corporation, that:

23 (A) Does business primarily in Kansas or substantially all of its  
24 production in Kansas;

25 (B) employs at least 10% of its employees who are individuals with  
26 disabilities and reside in Kansas;

27 (C) offers to contribute at least 75% of the premium cost for  
28 individual health insurance coverage for each employee. The department  
29 of administration shall require a certification of these facts as a condition  
30 to the certified business being awarded a contract pursuant to subsection  
31 (b); and

32 (D) does not employ individuals under a certificate issued by the  
33 United States secretary of labor under 29 U.S.C. § 214(c);

34 (2) "individuals with disabilities" or "individual with a disability"  
35 means any individual who:

36 (A) Is certified by the Kansas department for aging and disability  
37 services or by the Kansas department for children and families which  
38 administers the rehabilitation services program as having a physical or  
39 mental impairment that constitutes a substantial barrier to employment;

40 (B) works a minimum number of hours per week for a certified  
41 business necessary to qualify for health insurance coverage offered  
42 pursuant to subsection (g)(1); and

43 (C) (i) is receiving services, has received services or is eligible to

- 1 receive services under a home and community based services program, as
- 2 defined by K.S.A. 39-7,100, and amendments thereto;
- 3 (ii) is employed by a charitable organization domiciled in the state of
- 4 Kansas and exempt from federal income taxation pursuant to section
- 5 501(c)(3) of the federal internal revenue code of 1986, as amended; or
- 6 (iii) is an individual with a disability pursuant to the disability
- 7 standards established by the social security administration as determined
- 8 by the Kansas disability determination services under the Kansas
- 9 department for children and families;
- 10 (3) "physical or mental impairment" means:
- 11 (A) Any physiological disorder or condition, cosmetic disfigurement
- 12 or anatomical loss substantially affecting one or more of the following
- 13 body systems:
- 14 (i) Neurological;
- 15 (ii) musculoskeletal;
- 16 (iii) special sense organs;
- 17 (iv) respiratory, including speech organs;
- 18 (v) cardiovascular;
- 19 (vi) reproductive;
- 20 (vii) digestive;
- 21 (viii) genitourinary;
- 22 (ix) hemic and lymphatic;
- 23 (x) skin; or
- 24 (xi) endocrine; or
- 25 (B) any mental or psychological disorder, such as intellectual
- 26 disability, organic brain syndrome, mental illness and specific learning
- 27 disabilities. ~~The term "Physical or mental impairment" includes, but is not~~
- 28 limited to, orthopedic, visual, language and hearing disorders, cerebral
- 29 palsy, epilepsy, muscular dystrophy, multiple sclerosis and intellectual
- 30 disability; ~~and~~
- 31 (4) "project architect" means the same as defined in K.S.A. 75-1251,
- 32 and amendments thereto;
- 33 (5) "disabled veteran" means a person verified by the Kansas
- 34 ~~commission on veterans affairs~~ office of *veterans services* to have served
- 35 in the armed forces of the United States and who is entitled to
- 36 compensation for a service-connected disability, according to the laws
- 37 administered by the United States department of veterans affairs, or who is
- 38 entitled to compensation for the loss, or permanent loss of use, of one or
- 39 both feet or one or both hands, or for permanent visual impairment of both
- 40 eyes to a prescribed degree; *and*
- 41 (6) "disabled veteran business" means a business certified annually
- 42 by the department of administration that is a sole proprietorship,
- 43 partnership, association or corporation domiciled in Kansas, or any

1 corporation, even if a wholly owned subsidiary of a foreign corporation,  
2 and is verified by the Kansas ~~commission on veterans affairs~~ office of  
3 *veterans services* that:

4 (A) Not less than 51% is owned by one or more disabled veterans or,  
5 in the case of a publicly owned business, not less than 51% of the stock is  
6 owned by one or more disabled veterans;

7 (B) the management and daily business operations are controlled by  
8 one or more disabled veterans; and

9 (C) such business maintains the requirements of subparagraphs (A)  
10 and (B) during the entire contract term.

11 (h) Any state agency authorized by the director of purchases to make  
12 purchases pursuant to K.S.A. 75-3739(e), and amendments thereto, shall  
13 consider any unsolicited proposal for goods or services under this section.

14 (i) The secretary of administration and the secretary for aging and  
15 disability services, jointly, shall adopt rules and regulations as necessary to  
16 effectuate the purpose of this section.

17 (j) At the beginning of each regular session of the legislature, the  
18 secretary of administration and the secretary for aging and disability  
19 services shall submit to the social services budget committee of the house  
20 of representatives and the appropriate subcommittee of the committee on  
21 ways and means of the senate, a written report on the number of:

22 (1) Certified businesses certified by the department of administration  
23 during the previous fiscal year;

24 (2) certified businesses awarded contracts pursuant to subsection (b)  
25 during the previous fiscal year;

26 (3) contracts awarded pursuant to subsection (b) to each certified  
27 business during the previous fiscal year;

28 (4) individuals with disabilities removed from, reinstated to or not  
29 reinstated to home and community based services or other medicaid  
30 program services during the previous fiscal year as a result of employment  
31 with a certified business;

32 (5) individuals employed by each certified business during the  
33 previous fiscal year; and

34 (6) individuals with disabilities employed by each certified business  
35 during the previous fiscal year.

36 (k) When a state agency is receiving bids to purchase passenger  
37 motor vehicles, such agency shall follow the procedures prescribed in  
38 subsection (c)(2), except in the case where one of the responsible bidders  
39 offers motor vehicles that are assembled in Kansas. In such a case, 3% of  
40 the bid of the responsible bidder that offers motor vehicles assembled in  
41 Kansas shall be subtracted from the bid amount, and that amount shall be  
42 used to determine the lowest bid pursuant to subsection (c)(2). This  
43 subsection shall only apply to bids that match the exact motor vehicle

1 specifications of the agency purchasing passenger motor vehicles.

2 (l) The secretary of administration shall certify that a business meets  
3 the requirements for a certified business as defined in subsection (g), and  
4 shall recertify such business as having met such requirements every three  
5 years thereafter.

6 Sec. 34. K.S.A. 75-4362 is hereby amended to read as follows: 75-  
7 4362. (a) The director of the division of personnel services of the  
8 department of administration shall have the authority to establish and  
9 implement a drug screening program for persons taking office as governor,  
10 lieutenant governor, attorney general or members of the Kansas senate or  
11 house of representatives and for applicants for safety sensitive positions in  
12 state government, but no applicant for a safety sensitive position shall be  
13 required to submit to a test as a part of this program unless the applicant is  
14 first given a conditional offer of employment.

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

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

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

21 (3) any safety sensitive position;

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

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

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

29 (c) Any public announcement or advertisement soliciting applications  
30 for employment in a safety sensitive position in state government shall  
31 include a statement of the requirements of the drug screening program  
32 established under this section for applicants for and employees holding a  
33 safety sensitive position.

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

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

41 (2) the employee undergoes a drug evaluation and successfully  
42 completes any education or treatment program recommended as a result of  
43 the evaluation. Nothing herein shall be construed as prohibiting demotions,



1 suspensions or terminations pursuant to K.S.A. 75-2949e or 75-2949f, and  
 2 amendments thereto.

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

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

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

10 (1) All state law enforcement officers who are authorized to carry  
 11 firearms;

12 (2) all state corrections officers;

13 (3) all state parole officers;

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

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

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

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

24 (8) all employees who have access to a secured biological laboratory  
 25 in the office of laboratory services of the department of health and  
 26 environment; and

27 (9) all employees of the ~~Kansas commission on veterans affairs~~ office  
 28 *of veterans services*.

29 Sec. 35. K.S.A. 76-6b05 is hereby amended to read as follows: 76-  
 30 6b05. (a) All moneys received by the state treasurer under K.S.A. 76-6b04,  
 31 and amendments thereto, shall be credited to the state institutions building  
 32 fund, which is hereby created in the state treasury, to be used for the  
 33 construction, reconstruction, equipment and repair of buildings and  
 34 grounds at institutions specified in K.S.A. 76-6b04, and amendments  
 35 thereto, and for payment of debt service on revenue bonds issued to  
 36 finance such projects, all subject to appropriation by the legislature.

37 (b) Subject to any restrictions imposed by appropriation acts, the  
 38 juvenile justice authority is authorized to pledge 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 juvenile justice authority  
 41 specified by statute for the payment of debt service on revenue bonds  
 42 issued for the purposes set forth in subsection (a). Subject to any  
 43 restrictions imposed by appropriation acts, the juvenile justice authority is

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

14 (c) Subject to any restrictions imposed by appropriation acts, the  
15 Kansas department for aging and disability services is authorized to pledge  
16 funds appropriated to it from the state institutions building fund or from  
17 any other source and transferred to a special revenue fund of the Kansas  
18 department for aging and disability services specified by statute for the  
19 payment of debt service on revenue bonds issued for a new state security  
20 hospital on the Larned state hospital grounds or any other capital  
21 improvement projects at any other institution or facility of the Kansas  
22 department for aging and disability services. Subject to any restrictions  
23 imposed by appropriation acts, the Kansas department for aging and  
24 disability services is also authorized to pledge any funds appropriated to it  
25 from the state institutions building fund or from any other source and  
26 transferred to a special revenue fund of the Kansas department for aging  
27 and disability services specified by statute as a priority for the payment of  
28 debt service on such revenue bonds. Neither the state or the Kansas  
29 department for aging and disability services shall have the power to pledge  
30 the faith and credit or taxing power of the state of Kansas for such  
31 purposes and any payment by the Kansas department for aging and  
32 disability services for such purposes shall be subject to and dependent on  
33 appropriations being made from time to time by the legislature. Any  
34 obligation of the Kansas department for aging and disability services for  
35 payment of debt service on revenue bonds and any such revenue bonds  
36 issued for a new state security hospital on the Larned state hospital  
37 grounds or any other capital improvement projects at any other institution  
38 or facility of the Kansas department for aging and disability services shall  
39 not be considered a debt or obligation of the state for the purpose of  
40 section 6 of article 11 of the constitution of the state of Kansas.

41 (d) Subject to any restrictions imposed by appropriation acts, the  
42 director of the ~~Kansas commission on veterans affairs~~ *office of veterans*  
43 *services* is authorized to pledge funds appropriated to it from the state

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

23 Sec. 36. K.S.A. 76-1904 is hereby amended to read as follows: 76-  
24 1904. (a) The director of the Kansas ~~commission on veterans affairs~~ office  
25 *of veterans services* shall have full control of the Kansas soldiers' home,  
26 the property, effects, supervision and management thereof.

27 (b) A superintendent of the Kansas soldiers' home shall be appointed  
28 by the director of the Kansas ~~commission on veterans affairs~~ office *of*  
29 *veterans services* in accordance with K.S.A. 73-1210a, *and amendments*  
30 *thereto*.

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

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

10 Sec. 38. K.S.A. 76-1906 is hereby amended to read as follows: 76-  
11 1906. The superintendent of the Kansas soldiers' home shall remit all  
12 moneys received by or for the superintendent under article 19 of chapter  
13 76 of the Kansas Statutes Annotated, and amendments thereto, and all  
14 moneys received from the United States veterans administration for  
15 reimbursements for the care of residents to the state treasurer in  
16 accordance with the provisions of K.S.A. 75-4215, and amendments  
17 thereto. Upon receipt of each such remittance, the state treasurer shall  
18 deposit the entire amount in the state treasury to the credit of the soldiers'  
19 home fee fund. All expenditures from such fund shall be made in  
20 accordance with appropriation acts upon warrants of the director of  
21 accounts and reports issued pursuant to vouchers approved by the director  
22 of the Kansas ~~commission on veterans affairs~~ office of *veterans services* or  
23 by a person or persons designated by the director.

24 Sec. 39. K.S.A. 76-1908 is hereby amended to read as follows: 76-  
25 1908. (a) The following, subject to the rules and regulations that may be  
26 adopted by the director of the Kansas ~~commission on veterans affairs~~  
27 office of *veterans services* for the management and government of the  
28 Kansas soldiers' home, shall be eligible to admission to the Kansas  
29 soldiers' home:

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

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

43 (b) No person shall be admitted to the soldiers' home except upon

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

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

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

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

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

26 (g) The rules and regulations for admission of members to the Kansas  
27 soldiers' home *shall require that*:

28 (1) ~~Shall require that~~ A veteran who has no adequate means of  
29 support, and such members of the family as are dependent upon such  
30 person for support, shall be given priority over other applicants for  
31 admission; and

32 (2) ~~shall require that~~ an applicant for admission be given priority over  
33 patients transferred from state institutions under the provisions of K.S.A.  
34 76-1936, and amendments thereto.

35 Sec. 40. K.S.A. 76-1927 is hereby amended to read as follows: 76-  
36 1927. The director of the Kansas ~~commission on veterans affairs~~ office of  
37 *veterans services* shall have the authority to establish rules and regulations  
38 for the management and operation of the Kansas soldiers' home and  
39 governing conduct and discipline of the members of and other persons in  
40 the Kansas soldiers' home. Such rules and regulations shall be filed with  
41 the secretary of state as provided by law.

42 Sec. 41. K.S.A. 76-1928 is hereby amended to read as follows: 76-  
43 1928. The director of the Kansas ~~commission on veterans affairs~~ office of

1 *veterans services* or the superintendent of the Kansas soldiers' home shall  
2 enforce such rules and regulations and may furlough any member for  
3 violation of such rules.

4 Sec. 42. K.S.A. 76-1929 is hereby amended to read as follows: 76-  
5 1929. The director of the Kansas ~~commission on veterans affairs~~ office of  
6 *veterans services* may discharge any member who violates such rules and  
7 regulations, except that no member shall be discharged without notice to  
8 such member and a right to be heard concerning such charges in  
9 accordance with the provisions of the Kansas administrative procedure act.

10 Sec. 43. K.S.A. 76-1931 is hereby amended to read as follows: 76-  
11 1931. If any member of such soldiers' home shall refuse to vacate the  
12 premises upon receiving a furlough from the officers designated to enforce  
13 the rules and regulations, such refusal shall constitute a forfeiture of such  
14 person's right to remain in the home and such member shall be ~~forthwith~~  
15 *immediately* discharged by the director of the Kansas ~~commission on~~  
16 ~~veterans affairs~~ office of *veterans services*.

17 Sec. 44. K.S.A. 76-1932 is hereby amended to read as follows: 76-  
18 1932. If any member shall refuse to vacate the premises upon being  
19 discharged by the director of the Kansas ~~commission on veterans affairs~~  
20 office of *veterans services*, such member shall forfeit such member's right  
21 to subsistence and rations for the member and the member's dependents, if  
22 any, and the director of the Kansas ~~commission on veterans affairs~~ office  
23 of *veterans services* shall institute legal proceedings to force such member  
24 to vacate the premises.

25 Sec. 45. K.S.A. 76-1935 is hereby amended to read as follows: 76-  
26 1935. The director of the Kansas ~~commission on veterans affairs~~ office of  
27 *veterans services* shall designate a person at the Kansas soldiers' home  
28 who shall be in charge of the member funds at such soldiers' home. ~~The~~  
29 ~~Such person so designated~~ shall have custody and charge of all moneys  
30 belonging to the members, or persons attending the Kansas soldiers' home,  
31 which are held for their use, benefit and burial. The director of the Kansas  
32 ~~commission on veterans affairs~~ office of *veterans services* shall designate  
33 the bank or banks, in which such moneys shall be deposited.

34 Sec. 46. K.S.A. 76-1935a is hereby amended to read as follows: 76-  
35 1935a. (a) The custodian of the members and patients trust fund at the  
36 Kansas soldiers' home shall notify the director of the Kansas ~~commission~~  
37 ~~on veterans affairs~~ office of *veterans services* of any moneys which are  
38 under the custodian's charge belonging to members who have died  
39 intestate, without known heirs or designated beneficiaries for funds on  
40 deposit, and the director shall publish a notice for two consecutive weeks  
41 in the Kansas register which shall state the name of each deceased  
42 member, their last known home address and the amount of the deposit  
43 remaining in the account of such former member; and such notice shall

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

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

23 Sec. 47. K.S.A. 76-1936 is hereby amended to read as follows: 76-  
24 1936. (a) The commissioner of community services and programs of the  
25 Kansas department for aging and disability services, with the approval of  
26 the secretary for aging and disability services and the director of the  
27 Kansas ~~commission on veterans affairs~~ office of *veterans services*, may  
28 transfer patients in the state hospitals at Osawatomie and Larned and  
29 patients in the Rainbow mental health facility and the Parsons state  
30 hospital and training center who have served in the military or naval forces  
31 of the United States or whose husband, wife, father, son or daughter has  
32 served in the active military or naval service of the United States during  
33 any period of any war as defined in K.S.A. 76-1908, and amendments  
34 thereto, and who was discharged or relieved therefrom under conditions  
35 other than dishonorable, to the Kansas soldiers' home. No patient who is  
36 such a mentally ill person, *as defined in K.S.A. 59-2946, and amendments*  
37 *thereto,* in the opinion of the commissioner of ~~mental health and~~  
38 ~~developmental disabilities~~ *state hospitals*, that because of such patient's  
39 illness such patient is likely to injure themselves or others, shall be ~~so~~  
40 transferred to such Kansas soldiers' home, and no such patient shall be ~~so~~  
41 transferred if such transfer will deny admission to persons entitled to  
42 admission under K.S.A. 76-1908, and amendments thereto, and rules and  
43 regulations promulgated thereunder. Persons ~~so~~ transferred shall not be

1 considered as members of the Kansas soldiers' home but shall be  
2 considered as patients therein.

3 (b) All of the laws, rules and regulations relating to patients in ~~the~~  
4 ~~above specified~~ state hospitals and mental health facility *specified in*  
5 *subsection (a)* shall be applicable to such patients ~~so transferred insofar as~~  
6 ~~the same can be made applicable~~ *under subsection (a)*. Any patient ~~so~~  
7 transferred who is found to be or shall become such a mentally ill person,  
8 *as defined in K.S.A. 59-2946, and amendments thereto*, in the opinion of  
9 the commissioner of ~~mental health and developmental disabilities~~ *state*  
10 *hospitals*, that because of such patient's illness such patient is likely to  
11 injure themselves or others or who is determined to need additional  
12 psychiatric treatment, shall be retransferred by the superintendent of the  
13 Kansas soldiers' home, with the approval of the commissioner of ~~mental~~  
14 ~~health and developmental disabilities~~ *state hospitals* and the director of the  
15 ~~Kansas commission on veterans affairs~~ *office of veterans services*, to the  
16 institution from whence the patient was originally transferred.

17 Sec. 48. K.S.A. 76-1939 is hereby amended to read as follows: 76-  
18 1939. The ~~Kansas commission on veterans affairs~~ *office of veterans*  
19 *services* shall not engage in farming operations on the farm land which are  
20 part of the lands of the Kansas soldiers' home except that the Kansas  
21 ~~commission on veterans affairs~~ *office of veterans services* may engage in  
22 and permit vegetable gardening on a portion of such lands. All such farm  
23 lands not needed or used for vegetable gardening shall be rented or leased,  
24 for a period not to exceed five years, by the ~~Kansas commission on~~  
25 ~~veterans affairs~~ *office of veterans services*, except that if the Kansas state  
26 university of agriculture and applied science shall request that such lands  
27 be rented or leased to it for agricultural experimental purposes, it shall be  
28 given preference when such lands are rented or leased. Any such rental or  
29 lease agreement shall not include any buildings or improvements other  
30 than irrigation pumps and facilities. All moneys derived from the lease or  
31 rental of such farm lands shall be remitted to the state treasurer in  
32 accordance with the provisions of K.S.A. 75-4215, and amendments  
33 thereto. Upon receipt of each such remittance, the state treasurer shall  
34 deposit the entire amount in the state treasury to the credit of the Kansas  
35 soldiers' home and Mother Bickerdyke annex fee fund for the use of such  
36 soldiers' home.

37 Sec. 49. K.S.A. 76-1941 is hereby amended to read as follows: 76-  
38 1941. (a) The director of the ~~Kansas commission on veterans affairs~~  
39 *office of veterans services* may enter into a written contract with any individual  
40 who is eligible for admission to the Kansas soldiers' home under K.S.A.  
41 76-1908, and amendments thereto, to authorize the construction of a  
42 single-family dwelling for use as a home for such individual and such  
43 individual's family members on the real property of the Kansas soldiers'



1 home in accordance with rules and regulations adopted by the director of  
2 the Kansas ~~commission on veterans affairs~~ office *of veterans services*  
3 under this section. Each such dwelling shall be constructed and  
4 maintained:

5 (1) At the expense of the individual entering into a contract with the  
6 director under this section, including any required sewer, water and utility  
7 connections;

8 (2) at a location on the real property of the Kansas soldiers' home  
9 approved in accordance with rules and regulations adopted by the director  
10 under this section; and

11 (3) in accordance with the building design, construction and materials  
12 standards as authorized or prescribed by rules and regulations adopted by  
13 the director under this section.

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

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

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

43 (e) As used in this section, "family members" includes the spouse of

1 an individual who has entered into a contract under this section, the widow  
2 or widower of an individual who has entered into a contract under this  
3 section, and the mother, father or minor child of an individual who has  
4 entered into a contract under this section, if such mother, father or minor  
5 child is incapable of self-support because of physical disability.

6 Sec. 50. K.S.A. 76-1951 is hereby amended to read as follows: 76-  
7 1951. (a) ~~On and after January 1, 1998, The Kansas commission on~~  
8 ~~veterans affairs~~ office of *veterans services* shall operate a Kansas veterans'  
9 home to be located on the grounds of Winfield state hospital and training  
10 center. The director of the ~~Kansas commission on veterans affairs~~ office of  
11 *veterans services* and the secretary for aging and disability services shall  
12 enter into an agreement concerning property, premises, facilities,  
13 installations, equipment and records of Winfield state hospital and training  
14 center which will be transferred to the director of the ~~Kansas commission~~  
15 ~~on veterans affairs~~ office of *veterans services* for the purpose of  
16 establishing and operating the Kansas veterans' home. The agreement shall  
17 establish the timing of any such transfers. Any conflict as to the proper  
18 disposition of property or records arising under this section shall be  
19 determined by the governor, whose decision shall be final.

20 (b) The director of the ~~Kansas commission on veterans affairs~~ office  
21 of *veterans services* shall have full control of the Kansas veterans' home,  
22 the property, effects, supervision and management of the home.

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

33 (d) A superintendent of the Kansas veterans' home shall be appointed  
34 by the director of the ~~Kansas commission on veterans affairs~~ office of  
35 *veterans services* in accordance with K.S.A. 73-1210a, and amendments  
36 thereto.

37 Sec. 51. K.S.A. 76-1952 is hereby amended to read as follows: 76-  
38 1952. The director of the ~~Kansas commission on veterans affairs~~ office of  
39 *veterans services* shall establish rates of charges to be made to members  
40 and patients of the Kansas veterans' home. The charges in the first year of  
41 operation of the Kansas veterans' home shall not exceed an amount equal  
42 to the per diem cost of care for the Kansas soldiers' home for the preceding  
43 year or the charge made against patients under K.S.A. 59-2006, and

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

21 Sec. 52. K.S.A. 76-1953 is hereby amended to read as follows: 76-  
22 1953. The superintendent of the Kansas veterans' home shall remit all  
23 moneys received by or for the superintendent under this act and all moneys  
24 received from the United States department of veterans affairs for  
25 reimbursements for the care of residents to the state treasurer in  
26 accordance with the provisions of K.S.A. 75-4215, and amendments  
27 thereto. Upon receipt of each such remittance, the state treasurer shall  
28 deposit the entire amount in the state treasury to the credit of the veterans'  
29 home fee fund which is hereby created. All expenditures from such fund  
30 shall be made in accordance with appropriation acts upon warrants of the  
31 director of accounts and reports issued pursuant to vouchers approved by  
32 the director of the Kansas ~~commission on veterans affairs~~ office of  
33 *veterans services* or by a person or persons designated by the director.

34 Sec. 53. K.S.A. 76-1954 is hereby amended to read as follows: 76-  
35 1954. (a) The following, subject to the rules and regulations that may be  
36 adopted by the director of the Kansas ~~commission on veterans affairs~~  
37 office of *veterans services* for the management and government of the  
38 Kansas veterans' home, shall be eligible to admission to the Kansas  
39 veterans' home:

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

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

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

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

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

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

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

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

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

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

43 (2) shall require that an applicant for admission be given priority over

1 patients transferred from state institutions under the provisions of K.S.A.  
2 76-1958, and amendments thereto.

3 Sec. 54. K.S.A. 76-1955 is hereby amended to read as follows: 76-  
4 1955. (a) The director of the Kansas ~~commission on veterans affairs~~ office  
5 *of veterans services* shall have the authority to establish rules and  
6 regulations for the management and operation of the Kansas veterans'  
7 home and governing conduct and discipline of the members of and other  
8 persons in the Kansas veterans' home. Such rules and regulations shall be  
9 filed with the secretary of state as provided by law.

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

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

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

25 (e) If any member of such veterans' 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 such  
28 member's right to remain in the home and such member shall be forthwith  
29 discharged by the director of the Kansas ~~commission on veterans affairs~~  
30 office *of veterans services*.

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

38 (g) ~~The word~~ *As used in this section, "member" as used in this act*  
39 ~~shall refer to~~ *means* any person legally admitted as a member or any  
40 dependent of such member, or any person drawing subsistence or quarters  
41 in the Kansas veterans' home for any reason whatsoever, except the  
42 employees of such veterans' home. ~~The word "Member" shall~~ *does* not  
43 include any person transferred to the veterans' home from any state

1 hospital or training school.

2 Sec. 55. K.S.A. 76-1956 is hereby amended to read as follows: 76-  
3 1956. The director of the Kansas ~~commission on veterans affairs~~ office of  
4 *veterans services* shall designate a person at the Kansas veterans' home  
5 who shall be in charge of the member funds at such veterans' home. ~~The~~  
6 ~~person so designated~~ *Such person* shall have custody and charge of all  
7 moneys belonging to the members, or patients residing in the Kansas  
8 veterans' home, which are held for their use, benefit and burial. The  
9 director of the Kansas ~~commission on veterans affairs~~ office of *veterans*  
10 *services* shall designate the bank or banks, in which such moneys shall be  
11 deposited.

12 Sec. 56. K.S.A. 76-1957 is hereby amended to read as follows: 76-  
13 1957. (a) The custodian of the members and patients trust fund at the  
14 Kansas veterans' home shall notify the director of the Kansas ~~commission~~  
15 ~~on veterans affairs~~ office of *veterans services* of any moneys which are  
16 under the custodian's charge belonging to members who have died  
17 intestate, without known heirs or designated beneficiaries for funds on  
18 deposit, and the director shall publish a notice for two consecutive weeks  
19 in the Kansas register which shall state the name of each deceased  
20 member, their last known home address and the amount of the deposit  
21 remaining in the account of such former member; and such notice shall  
22 further state that unless interested persons appear and file a legitimate  
23 claim therefor within one year after the date of the last publication of such  
24 notice, such amount or amounts will be transferred to the general fees fund  
25 of the veterans' home to help defray unrecovered costs connected with the  
26 maintenance and operation of the veterans' home and for accounting,  
27 auditing, budgeting, legal, payroll, personnel and purchasing services  
28 which are performed on behalf of such agency by other state agencies.

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

43 Sec. 57. K.S.A. 76-1958 is hereby amended to read as follows: 76-

1 1958. (a) The commissioner of ~~mental health and developmental~~  
2 ~~disabilities~~ *state hospitals* of the Kansas department for aging and  
3 disability services, with the approval of the secretary for aging and  
4 disability services and the director of the Kansas ~~commission on veterans~~  
5 ~~affairs~~ *office of veterans services*, may transfer patients in the state  
6 hospitals in Topeka, Osawatomie and Larned and patients in the Rainbow  
7 mental health facility, the Parsons state hospital and training center and the  
8 Winfield state hospital and training center who have served in the military  
9 or naval forces of the United States or whose husband, wife, father, son or  
10 daughter has served in the active military or naval service of the United  
11 States during any period of any war as defined in K.S.A. 76-1954, and  
12 amendments thereto, and was discharged or relieved therefrom under  
13 conditions other than dishonorable, to the Kansas veterans' home. No  
14 patient who is such a mentally ill person, *as defined in K.S.A. 59-2946,*  
15 *and amendments thereto*, in the opinion of the commissioner of ~~mental~~  
16 ~~health and developmental disabilities~~ *state hospitals*, that because of such  
17 patient's illness such patient is likely to injure oneself or others shall be so  
18 transferred to such Kansas veterans' home, and no such patient shall be so  
19 transferred if such transfer will deny admission to persons entitled to  
20 admission under K.S.A. 76-1954, and amendments thereto, and rules and  
21 regulations promulgated thereunder. Persons ~~so~~ transferred shall not be  
22 considered as members of the Kansas veterans' home but shall be  
23 considered as patients ~~therein~~.

24 (b) All of the laws, rules and regulations relating to patients in the  
25 above-specified state hospitals and mental health facilities shall be  
26 applicable to such patients so transferred insofar as the same can be made  
27 applicable. Any patient so transferred who is found to be or shall become  
28 such a mentally ill person, *as defined in K.S.A. 59-2946, and amendments*  
29 *thereto*, in the opinion of the commissioner of ~~mental health and~~  
30 ~~developmental disabilities~~ *state hospitals*, that because of such patient's  
31 illness such patient is likely to injure oneself or others or who is  
32 determined to need additional psychiatric treatment, shall be retransferred  
33 by the superintendent of the Kansas veterans' home, with the approval of  
34 the commissioner of mental health and developmental disabilities and the  
35 director of the Kansas ~~commission on veterans affairs~~ *office of veterans*  
36 *services*, to the institution from which the patient was originally  
37 transferred.

38 Sec. 58. K.S.A. 2023 Supp. 77-440 is hereby amended to read as  
39 follows: 77-440. (a) All rules and regulations adopted by state agencies  
40 under the provisions of K.S.A. 77-415 et seq., and amendments thereto,  
41 shall be reviewed every five years in accordance with this section.

42 (b) (1) Each state agency that has adopted rules and regulations shall  
43 submit a report to the joint committee on administrative rules and

1 regulations on or before July 15 of the year that corresponds to such state  
2 agency under paragraph (2). Such report shall contain a summary of such  
3 state agency's review and evaluation of rules and regulations adopted by  
4 such state agency, including a statement for each rule and regulation as to  
5 whether such rule and regulation is necessary for the implementation and  
6 administration of state law or may be revoked pursuant to K.S.A. 77-  
7 426(d), and amendments thereto.

8 (2) Each state agency that has adopted rules and regulations shall  
9 submit a report as required under paragraph (1) in the years that  
10 correspond to such state agency as follows:

11 (A) For 2023 and every fifth year thereafter, the following state  
12 agencies:

- 13 (i) Department of administration;
- 14 (ii) municipal accounting board;
- 15 (iii) state treasurer;
- 16 (iv) Kansas department of agriculture;
- 17 (v) Kansas department of agriculture—division of water resources;
- 18 (vi) state election board;
- 19 (vii) secretary of state;
- 20 (viii) livestock brand commissioner;
- 21 (ix) Kansas department of agriculture—division of animal health;
- 22 (x) Kansas bureau of investigation;
- 23 (xi) Kansas department of agriculture—division of conservation;
- 24 (xii) agricultural labor relations board;
- 25 (xiii) alcoholic beverage control board of review;
- 26 (xiv) Kansas department of revenue—division of alcoholic beverage  
27 control;
- 28 (xv) athletic commission;
- 29 (xvi) attorney general;
- 30 (xvii) office of the state bank commissioner;
- 31 (xviii) employee award board;
- 32 (xix) governmental ethics commission;
- 33 (xx) crime victims compensation board;
- 34 (xxi) Kansas human rights commission;
- 35 (xxii) state fire marshal; and
- 36 (xxiii) Kansas department of wildlife and parks;

37 (B) for 2024 and every fifth year thereafter, the following state  
38 agencies:

- 39 (i) Kansas wheat commission;
- 40 (ii) Kansas state grain inspection department;
- 41 (iii) Kansas department for aging and disability services;
- 42 (iv) Kansas energy office;
- 43 (v) department of health and environment;



- 1 (vi) Kansas department for children and families;
- 2 (vii) park and resources authority;
- 3 (viii) state salvage board;
- 4 (ix) Kansas department of transportation;
- 5 (x) Kansas highway patrol;
- 6 (xi) savings and loan department;
- 7 (xii) Kansas turnpike authority;
- 8 (xiii) insurance department;
- 9 (xiv) food service and lodging board;
- 10 (xv) commission on alcoholism;
- 11 (xvi) corrections ombudsman board;
- 12 (xvii) department of corrections;
- 13 (xviii) Kansas prisoner review board;
- 14 (xix) executive council;
- 15 (xx) mined-land conservation and reclamation (KDHE);
- 16 (xxi) department of labor—employment security board of review;
- 17 (xxii) department of labor;
- 18 (xxiii) department of labor—division of employment; and
- 19 (xxiv) department of labor—division of workers compensation;
- 20 (C) for 2025 and every fifth year thereafter, the following state
- 21 agencies:
  - 22 (i) State records board;
  - 23 (ii) state library;
  - 24 (iii) board for the registration and examination of landscape
  - 25 architects;
  - 26 (iv) adjutant general's department;
  - 27 (v) state board of nursing;
  - 28 (vi) Kansas board of barbering;
  - 29 (vii) state board of mortuary arts;
  - 30 (viii) board of engineering examiners;
  - 31 (ix) board of examiners in optometry;
  - 32 (x) state board of technical professions;
  - 33 (xi) Kansas board of examiners in fitting and dispensing of hearing
  - 34 instruments;
  - 35 (xii) state board of pharmacy;
  - 36 (xiii) Kansas state board of cosmetology;
  - 37 (xiv) state board of veterinary examiners;
  - 38 (xv) Kansas dental board;
  - 39 (xvi) board of examiners of psychologists;
  - 40 (xvii) registration and examining board for architects;
  - 41 (xviii) board of accountancy;
  - 42 (xix) state bank commissioner—consumer and mortgage lending
  - 43 division;

- 1 (xx) board of basic science examiners;  
 2 (xxi) Kansas public employees retirement system;  
 3 (xxii) office of the securities commissioner; and  
 4 (xxiii) Kansas corporation commission;  
 5 (D) for 2026 and every fifth year thereafter, the following state  
 6 agencies:  
 7 (i) Public employee relations board;  
 8 (ii) abstracters' board of examiners;  
 9 (iii) Kansas real estate commission;  
 10 (iv) education commission;  
 11 (v) state board of regents;  
 12 (vi) school budget review board;  
 13 (vii) school retirement board;  
 14 (viii) state department of education;  
 15 (ix) Kansas department of revenue;  
 16 (x) Kansas department of revenue—division of property valuation;  
 17 (xi) state board of tax appeals;  
 18 (xii) crop improvement association;  
 19 (xiii) ~~Kansas commission on veterans' affairs~~ *office of veterans*  
 20 *services*;  
 21 (xiv) Kansas water office;  
 22 (xv) Kansas department of agriculture—division of weights and  
 23 measures;  
 24 (xvi) state board of healing arts;  
 25 (xvii) podiatry board;  
 26 (xviii) behavioral sciences regulatory board;  
 27 (xix) state bank commissioner and savings and loan commissioner—  
 28 joint regulations;  
 29 (xx) consumer credit commissioner, credit union administrator,  
 30 savings and loan commissioner and bank commissioner—joint regulations;  
 31 (xxi) state board of indigents' defense services;  
 32 (xxii) Kansas commission on peace officers' standards and training;  
 33 and  
 34 (xxiii) law enforcement training center; and  
 35 (E) for 2027 and every fifth year thereafter, the following state  
 36 agencies:  
 37 (i) Kansas state employees health care commission;  
 38 (ii) emergency medical services board;  
 39 (iii) department of commerce;  
 40 (iv) Kansas lottery;  
 41 (v) Kansas racing and gaming commission;  
 42 (vi) Kansas department of wildlife and parks;  
 43 (vii) Kansas state fair board;

- 1 (viii) real estate appraisal board;
- 2 (ix) state historical society;
- 3 (x) health care data governing board;
- 4 (xi) state department of credit unions;
- 5 (xii) pooled money investment board;
- 6 (xiii) department of corrections—division of juvenile services;
- 7 (xiv) state child death review board;
- 8 (xv) Kansas agricultural remediation board;
- 9 (xvi) unmarked burial sites preservation board;
- 10 (xvii) Kansas housing resources corporation;
- 11 (xviii) department of commerce— Kansas athletic commission;
- 12 (xix) department of health and environment—division of health care
- 13 finance;
- 14 (xx) home inspectors registration board;
- 15 (xxi) committee on surety bonds and insurance;
- 16 (xxii) 911 coordinating council; and
- 17 (xxiii) office of administrative hearings.

18 (c) For any state agency not listed in subsection (b)(2) that adopts  
 19 rules and regulations that become effective on or after July 1, 2022, such  
 20 state agency shall submit a report to the joint committee on administrative  
 21 rules and regulations in accordance with subsection (b)(1) on or before  
 22 July 15 of the fifth year after such rules and regulations become effective  
 23 and every fifth year thereafter.

24 (d) Notwithstanding any other provision of law, a rule and regulation  
 25 may be adopted or maintained by a state agency only if such rule and  
 26 regulation serves an identifiable public purpose to support state law and  
 27 may not be broader than is necessary to meet such public purpose.

28 (e) This section shall be a part of and supplemental to the rules and  
 29 regulations filing act, K.S.A. 77-415 et seq., and amendments thereto.

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

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

37 (b) The director of taxation of the department of revenue shall  
 38 determine annually the total amount designated for contribution to the  
 39 Kansas hometown heroes fund pursuant to subsection (a) and shall report  
 40 such amount to the state treasurer who shall credit the entire amount  
 41 thereof to the Kansas hometown heroes fund which fund is hereby  
 42 established in the state treasury. All moneys deposited in such fund shall  
 43 be used solely for the purpose of funding the continued operations of the

1 veteran services program of the Kansas ~~commission on veterans affairs~~  
2 office *of veterans services*. In the case where donations are made pursuant  
3 to subsection (a), the director shall remit the entire amount thereof to the  
4 state treasurer in accordance with the provisions of K.S.A. 75-4215, and  
5 amendments thereto. Upon receipt of such remittance, the state treasurer  
6 shall deposit the entire amount in the state treasury to the credit of such  
7 fund. All expenditures from such fund shall be made in accordance with  
8 appropriation acts upon warrants of the director of accounts and reports  
9 issued pursuant to vouchers approved by the director of the Kansas  
10 ~~commission on veterans affairs~~ office *of veterans services*.

11 Sec. 60. K.S.A. 21-6630, 39-923, 65-1732, 65-2418, 73-209, 73-210,  
12 73-230, 73-1208d, 73-1208e, 73-1208f, 73-1209, 73-1210a, 73-1211, 73-  
13 1217, 73-1218, 73-1222, 73-1223, 73-1225, 73-1231, 73-1232, 73-1233,  
14 73-1234, 73-1235, 73-1236, 73-1238, 73-1239, 73-1241, 73-1242, 73-  
15 1243, 75-3370, 75-4362, 76-6b05, 76-1904, 76-1904a, 76-1906, 76-1908,  
16 76-1927, 76-1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-  
17 1936, 76-1939, 76-1941, 76-1951, 76-1952, 76-1953, 76-1954, 76-1955,  
18 76-1956, 76-1957, 76-1958 and 79-3221k and K.S.A. 2023 Supp. 32-934,  
19 74-2012, 75-3740 and 77-440 are hereby repealed.

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