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4 **HOUSE BILL No. 2770**

5  
6 By Representatives Thimesch, Aday, Ballard, Barnes, Beggs, Burroughs,  
7 Compton, Cook, Cox, Crow, DeCastro, Dillmore, DiVita, Dreher, Fa-  
8 ber, Findley, Flaharty, Freeborn, Garner, Goering, Gordon, Grant,  
9 Hayzlett, Henry, Horst, Huebert, Huff, Humerickhouse, Hutchins,  
10 Huy, Kauffman, Klein, Kuether, Larkin, Levinson, Light, Lightner,  
11 Loganbill, M. Long, P. Long, Mason, Mays, McClure, McCreary, Mc-  
12 Kinney, McLeland, Merrick, Jim Morrison, Judy Morrison, Myers,  
13 Nichols, Novascone, Osborne, Ostmeyer, Patterson, Pauls, E. Peter-  
14 son, Phelps, L. Powell, Pyle, Rehorn, Ruff, Sharp, Showalter, Stone,  
15 Storm, Swenson, Tafanelli, Tanner, R. Toelkes, Vickrey, Wells, Wel-  
16 shimer, J. Williams and Wilson

17  
18 2-5

19  
20 AN ACT concerning the Persian Gulf War veterans health initiative act;  
21 providing for certain funding; amending ~~K.S.A. 8-145~~ and K.S.A. 2001  
22 Supp. 73-1222, 73-1224, 73-1225, 73-1226, 73-1227, 73-1230 and 73-  
23 1231 and repealing the existing sections.

24  
25 *Be it enacted by the Legislature of the State of Kansas:*

26 Section 1. ~~K.S.A. 8-145 is hereby amended to read as follows: 8-145.~~

27 ~~(a) All registration and certificates of title fees shall be paid to the county~~  
28 ~~treasurer of the county in which the applicant for registration resides or~~  
29 ~~has an office or principal place of business within this state, and the county~~  
30 ~~treasurer shall issue a receipt in triplicate, on blanks furnished by the~~  
31 ~~division of vehicles, one copy of which shall be filed in the county trea-~~  
32 ~~surer's office, one copy shall be delivered to the applicant and the original~~  
33 ~~copy shall be forwarded to the director of vehicles.~~

34 ~~—(b) The county treasurer shall deposit \$.75 of each license applica-~~  
35 ~~tion, \$.75 out of each application for transfer of license plate and \$2 out~~  
36 ~~of each application for a certificate of title, collected by such treasurer~~  
37 ~~under this act, in a special fund, which fund is hereby appropriated for~~  
38 ~~the use of the county treasurer in paying for necessary help and expenses~~  
39 ~~incidental to the administration of duties in accordance with the provi-~~  
40 ~~sions of this law and extra compensation to the county treasurer for the~~  
41 ~~services performed in administering the provisions of this act, which com-~~  
42 ~~pen-sation shall be in addition to any other compensation provided by any~~  
43 ~~other law, except that the county treasurer shall receive as additional~~

1 compensation for administering the motor vehicle title and registration  
2 laws and fees, a sum computed as follows: The county treasurer, during  
3 the month of December, shall determine the amount to be retained for  
4 extra compensation not to exceed the following amounts each year for  
5 calendar year 1990 or any calendar year thereafter: The sum of \$60 per  
6 hundred registrations for the first 5,000 registrations; the sum of \$45 per  
7 hundred registrations for the next 5,000 registrations; and the sum of \$2  
8 per hundred registrations for all registrations thereafter. In no event,  
9 however, shall any county treasurer be entitled to receive more than  
10 \$9,500 additional annual compensation.

11 — If more than one person shall hold the office of county treasurer during  
12 any one calendar year, such compensation shall be prorated among such  
13 persons in proportion to the number of weeks served. The total amount  
14 of compensation paid the treasurer together with the amounts expended  
15 in paying for other necessary help and expenses incidental to the admin-  
16 istration of the duties of the county treasurer in accordance with the  
17 provisions of this act, shall not exceed the amount deposited in such spe-  
18 cial fund. Any balance remaining in such fund at the close of any calendar  
19 year shall be withdrawn and credited to the general fund of the county  
20 prior to June 1 of the following calendar year.

21 — (c) — The county treasurer shall remit the remainder of all such fees  
22 collected, together with the original copy of all applications, to the sec-  
23 retary of revenue. The secretary of revenue shall remit all such fees re-  
24 mitted to the state treasurer in accordance with the provisions of K.S.A.  
25 75-4215, and amendments thereto. Upon receipt of each such remittance,  
26 the state treasurer shall deposit the entire amount in the state treasury  
27 to the credit of the state highway fund, except as provided in subsection  
28 (d).

29 — (d) (1) — On July 1, 1997, through June 30, 2004, \$2.50 of each certif-  
30 icate of title fee collected and remitted to the secretary of revenue, shall  
31 be remitted to the state treasurer who shall credit such \$2.50 to the  
32 Kansas highway patrol motor vehicle fund. On July 1, 1990, through June  
33 30, 2002, \$1 of each certificate of title fee collected and remitted to the  
34 secretary of revenue, shall be remitted to the state treasurer who shall  
35 credit such \$1 to the VIPS/CAMA technology hardware fund.

36 — (2) — For repossessed vehicles, \$3 of each certificate of title fee col-  
37 lected and remitted to the secretary of revenue, shall be remitted to the  
38 state treasurer who shall credit such \$3 to the repossessed certificates of  
39 title fee fund.

40 — (3) — *The state treasurer shall credit the first \$100,000 of registration*  
41 *fees deposited in accordance with subsection (c), which are attributable*  
42 *to license plates issued under K.S.A. 8-160, 8-177a, 8-177e, 8-1,139, 8-*  
43 *1,140, 8-1,145 and 8-1,146, and amendments thereto, to the Persian Gulf*

1 ~~War veterans health initiative fund.~~

2 Sec. ~~2~~ **1**. K.S.A. 2001 Supp. 73-1222 is hereby amended to read as  
3 follows: 73-1222. As used in K.S.A. 2001 Supp. 73-1221 through 73-1231,  
4 and amendments thereto, unless the context clearly indicates otherwise:

5 (a) “Birth defect” means any physical or mental abnormality or con-  
6 dition, including any susceptibility to any illness or condition other than  
7 normal childhood illnesses or conditions.

8 (b) “Board” means the Persian Gulf War veterans health initiative  
9 board established by K.S.A. 2001 Supp. 73-1223, and amendments  
10 thereto.

11 (c) “Commission” means the Kansas commission on veterans affairs.

12 (d) “Director” means the executive director of the Kansas commis-  
13 sion on veterans affairs.

14 (e) ~~“Gulf War syndrome”~~ “*Gulf War illness*” means the wide range  
15 of physical and mental conditions, problems and illnesses that are con-  
16 nected with service in the armed forces of the United States during and  
17 in the area of operations of the Persian Gulf War.

18 (f) “Veteran” means a person who is a resident of Kansas who was a  
19 member of the armed forces of the United States of America and who  
20 served in such armed forces in the area of operations of the Persian Gulf  
21 War during the Persian Gulf War or thereafter regardless of whether such  
22 person is still actively serving in the armed forces or reserve.

23 Sec. ~~3~~ **2**. K.S.A. 2001 Supp. 73-1224 is hereby amended to read as  
24 follows: 73-1224. (a) The commission shall develop comprehensive sur-  
25 veys, or adopt one or more existing surveys, to be conducted to determine  
26 and study the physical and mental conditions, problems and illnesses,  
27 including birth defects, as well as the employment, social, emotional and  
28 family problems experienced by veterans, their spouses and family mem-  
29 bers since the veteran’s return to Kansas and by any other persons resid-  
30 ing in Kansas who are suffering from ~~Gulf War syndrome~~ *illness*.

31 (b) The commission shall develop or adopt the surveys within the first  
32 four months after the effective date of this act. The commission shall  
33 administer the surveys and review the completed surveys with the board.  
34 The commission shall compile the results of the surveys and develop  
35 recommendations for the legislature based thereon. The director shall  
36 report the results to appropriate federal agencies and shall request ad-  
37 ditional assistance for veterans commensurate with the director’s duties  
38 under K.S.A. 73-1209, and amendments thereto.

39 (c) The aggregate amount expended for the development and ad-  
40 ministration of surveys and studies set out under this section and for board  
41 expenses, including the position established by K.S.A. 2001 Supp. 73-  
42 1225, and amendments thereto, shall not exceed \$100,000 per fiscal year.

43 (d) The commission shall request the different media, including ra-

1 dio, television and newspaper, to make public service announcements  
2 publicizing information on the Persian Gulf War surveys and inform Kan-  
3 sans of the health problems identified and where help is available. The  
4 public service announcements should be published no less than four times  
5 a year.

6 *(e) The commission may conduct research or provide funding for re-*  
7 *search on Gulf War illness.*

8 Sec. ~~4~~ **3.** K.S.A. 2001 Supp. 73-1225 is hereby amended to read as  
9 follows: 73-1225. There is hereby established with the commission a full-  
10 time position dedicated to seeking and applying for grants and other mon-  
11 eys to fund activities under this act, to assist in the preparation and ad-  
12 ministration of surveys under this act, to promote programs and activities  
13 designed to assist persons affected by Gulf War ~~syndrome~~ *illness* to re-  
14 ceive the help they need, *to assist in conducting research or providing*  
15 *funding for research on Gulf War illness* and to perform such other duties  
16 as the chairperson of the commission may prescribe. Within 90 days of  
17 the effective date of this act, the commission shall appoint a qualified  
18 individual to this position.

19 Sec. ~~5~~ **4.** K.S.A. 2001 Supp. 73-1226 is hereby amended to read as  
20 follows: 73-1226. (a) The commission shall request that the department  
21 of health and environment contact families of any children born after  
22 August 1, 1991, who are on any state birth defect list maintained by the  
23 department, to inform the families of the availability of the survey and  
24 the registry if either parent served in the Persian Gulf War. If the family  
25 voluntarily participates in the survey, the veteran's child's name shall be  
26 listed in the state Persian Gulf War registry.

27 (b) The commission shall determine the appropriate health programs  
28 and the confidential mechanisms that shall be utilized to ask participants  
29 in such programs whether they are Persian Gulf War veterans, and if so,  
30 offer the veterans voluntary participation in the survey under K.S.A. 2001  
31 Supp. 73-1224, and amendments thereto.

32 (c) The commission shall establish and maintain a state Persian Gulf  
33 War registry containing the names of veterans, their spouses, family mem-  
34 bers and other persons in Kansas who have been affected by Gulf War  
35 ~~syndrome~~ *illness*.

36 (d) The commission shall inform veterans of any state and federal  
37 programs available to meet the veterans' needs.

38 (e) Any person who in good faith provides information to the com-  
39 mission under the provisions of this section shall be immune from civil  
40 or criminal liability therefor.

41 Sec. ~~6~~ **5.** K.S.A. 2001 Supp. 73-1227 is hereby amended to read as  
42 follows: 73-1227. Subject to funds available, the commission shall conduct  
43 a fiscal impact study, aimed at identifying the annual budgetary impact

1 of Gulf War ~~syndrome~~ *illness* on Kansas in terms of increased costs of  
2 education, medical coverage, correction of birth defects and other ex-  
3 penses identified through the results of the surveys conducted under  
4 K.S.A. 2001 Supp. 73-1224, and amendments thereto.

5 Sec. ~~7~~ **6.** K.S.A. 2001 Supp. 73-1230 is hereby amended to read as  
6 follows: 73-1230. The Kansas commission on veterans affairs shall coop-  
7 erate and share information with appropriate state and federal agencies  
8 as necessary for the purposes of this act to aid veterans and other persons  
9 in obtaining aid and relief from the effects of Gulf War ~~syndrome~~ *illness*.  
10 Such cooperation shall include reporting the survey statistics to appro-  
11 priate federal agencies to bring issues to the notice of appropriate  
12 agencies.

13 Sec. ~~8~~ **7.** K.S.A. 2001 Supp. 73-1231 is hereby amended to read as  
14 follows: 73-1231. There is hereby established in the state treasury the  
15 Persian Gulf War veterans health initiative fund which shall be adminis-  
16 tered by the Kansas commission on veterans affairs. All moneys received  
17 from any grants from federal or other nonstate sources, from contribu-  
18 tions or from any other source for the purpose of financing the activities  
19 of the board or the development or administration of the surveys devel-  
20 oped by the board under this act, shall be remitted to the state treasurer  
21 in accordance with the provisions of K.S.A. 75-4215, and amendments  
22 thereto. Upon receipt of each such remittance, the state treasurer shall  
23 deposit the entire amount in the state treasury to the credit of the Persian  
24 Gulf War veterans health initiative fund. All expenditures from the Per-  
25 sian Gulf War veterans health initiative fund shall be for the purposes of  
26 financing the activities of the commission for the implementation and  
27 administration, including the activities of the board ~~and~~, the development  
28 and administration of the surveys under this act *and the conducting or*  
29 *funding of research on Gulf War illness* and shall be made in accordance  
30 with appropriation acts upon warrants of the director of accounts and  
31 reports issued pursuant to vouchers approved by the Kansas commission  
32 on veterans affairs or the commission's designee.

33 **New Sec. 8. On July 1, 2002, or as soon thereafter as moneys**  
34 **are available, the director of accounts and reports shall transfer**  
35 **\$100,000 from the state general fund to the Persian Gulf War vet-**  
36 **erans health initiative fund.**

37 Sec. 9. ~~K.S.A. 8-145 and~~ K.S.A. 2001 Supp. 73-1222, 73-1224, 73-  
38 1225, 73-1226, 73-1227, 73-1230 and 73-1231 are hereby repealed.

39 Sec. 10. This act shall take effect and be in force from and after its  
40 publication in the statute book.

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