

## HOUSE BILL No. 2426

By Committee on Veterans, Military and Homeland Security

2-7

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9 AN ACT relating to the Kansas national guard; concerning hunting and  
10 fishing licenses; license plates and Kansas income taxes; amending  
11 K.S.A. 8-177a and K.S.A. 2006 Supp. 32-930 and repealing the existing  
12 sections.  
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14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 8-177a is hereby amended to read as follows: 8-  
16 177a. (a) Any owner or lessee of one or more passenger vehicles or trucks  
17 registered for a gross weight of not more than 20,000 pounds who is a  
18 resident of the state of Kansas, and who is a regularly enlisted or retired,  
19 warrant or commissioned member of the Kansas national guard, upon  
20 compliance with the provisions of this section, may be issued one dis-  
21 tinctive license plate for each such motor vehicle or truck that is not  
22 required to be registered with the state corporation commission desig-  
23 nating the owner or lessee of such vehicle as a member or retired member  
24 of the Kansas national guard. Such license plates shall be issued for the  
25 same period of time as other license plates upon proper registration and  
26 payment of the regular license fee as provided in K.S.A. 8-143, and  
27 amendments thereto, *except that no fee shall be required of any person*  
28 *who has completed 20 years or more of service in the Kansas national*  
29 *guard.*

30 (b) Any such member or retired member of the Kansas national guard  
31 may make application for such distinctive license plates, not less than 60  
32 days prior to such member's renewal of registration date, on a form fur-  
33 nished by the director of vehicles, and any applicant for such distinctive  
34 license plates shall furnish the director with such applicant's armed forces  
35 of the United States identification card as proof that the applicant is a  
36 member or a retired member of the Kansas national guard. Application  
37 for the registration of passenger vehicles or trucks and issuance of the  
38 distinctive license plates under this section shall be made by the owner  
39 or lessee in a manner prescribed by the director of vehicles upon forms  
40 furnished by the director.

41 (c) No registration or distinctive license plate issued under this sec-  
42 tion shall be transferable to any other person.

43 (d) Renewals of registration under this section shall be made an-

1 nually, upon payment of the fee prescribed in subsection (a), in the man-  
2 ner prescribed in subsection (b) of K.S.A. 8-132, and amendments  
3 thereto. No renewal of registration shall be made to any applicant until  
4 such applicant has filed with the director a form as provided in subsection  
5 (b). If such form is not filed, the applicant shall be required to comply  
6 with K.S.A. 8-143, and amendments thereto, and return the distinctive  
7 license plates to the county treasurer of such person's residence.

8 (e) The adjutant general, with the approval of the director of vehicles  
9 and subject to the availability of materials and equipment, shall design a  
10 distinctive license plate for issuance to members and retired members of  
11 the Kansas national guard.

12 Sec. 2. K.S.A. 2006 Supp. 32-930 is hereby amended to read as fol-  
13 lows: 32-930. (a) Except as provided in subsection (c), the secretary or  
14 the secretary's designee is authorized to issue to any Kansas resident a  
15 lifetime fishing, hunting or furharvester or combination hunting and fish-  
16 ing license upon proper application made therefor to the secretary or the  
17 secretary's designee and payment of a license fee as follows: (1) A total  
18 payment made at the time of purchase in the amount prescribed pursuant  
19 to K.S.A. 32-988 and amendments thereto; or (2) payment may be made  
20 over a two-year period in eight quarter-annual installments in the amount  
21 prescribed pursuant to K.S.A. 32-988 and amendments thereto. If pay-  
22 ment is in installments, the license shall not be issued until the final  
23 installment has been paid. A person making installment payments shall  
24 not be required to obtain the appropriate annual license, and each in-  
25 stallment payment shall be deemed to be such an annual license for a  
26 period of one year following the date of the last installment payment  
27 made. If an installment payment is not received within 30 days after it is  
28 due and owing, the secretary may consider the payments in default and  
29 may retain any payments previously received. Any lifetime license issued  
30 to a Kansas resident shall not be made invalid by reason of the holder  
31 thereof subsequently residing outside the state of Kansas. Any nonresi-  
32 dent holder of a Kansas lifetime hunting or combination hunting and  
33 fishing license shall be eligible under the same conditions as a Kansas  
34 resident for a big game or wild turkey permit upon proper application to  
35 the secretary. Any nonresident holder of a lifetime fishing license issued  
36 before July 1, 1989, shall be eligible under the same conditions as a Kansas  
37 resident for a big game or wild turkey permit upon proper application to  
38 the secretary.

39 (b) For the purposes of subsection (a), the term "resident" shall have  
40 the meaning defined in K.S.A. 32-701, and amendments thereto, except  
41 that a person shall have maintained that person's place of permanent  
42 abode in this state for a period of not less than one year immediately  
43 preceding the person's application for a lifetime fishing, hunting or fur-

1 harvester or combination hunting and fishing license.

2 (c) Upon request of the secretary of social and rehabilitation services,  
3 the secretary of wildlife and parks shall not issue a lifetime fishing, hunting  
4 or furharvester or combination hunting and fishing license to an applicant  
5 except as provided in this subsection. The secretary of social and reha-  
6 bilitation services may make such a request if, at the time of the request,  
7 the applicant owed arrearages under a support order in a title IV-D case  
8 being administered by the secretary of social and rehabilitation services  
9 or had outstanding a warrant or subpoena, directed to the applicant, in a  
10 title IV-D case being administered by the secretary of social and reha-  
11 bilitation services.

12 Upon receiving a release from an authorized agent of the secretary of  
13 social and rehabilitation services, the secretary of wildlife and parks may  
14 issue the lifetime fishing, hunting or furharvester or combination hunting  
15 and fishing license. The applicant shall have the burden of obtaining and  
16 delivering the release.

17 The secretary of social and rehabilitation services shall issue a release  
18 upon request if, as appropriate:

19 (1) The arrearages are paid in full or a tribunal of competent juris-  
20 diction has determined that no arrearages are owed;

21 (2) an income withholding order has been served upon the applicant's  
22 current employer or payor;

23 (3) an agreement has been completed or an order has been entered  
24 setting minimum payments to defray the arrearages, together with receipt  
25 of the first minimum payment; or

26 (4) the applicant has complied with the warrant or subpoena or the  
27 warrant or subpoena has been quashed or withdrawn.

28 Nothing in this subsection shall be construed to require or permit the  
29 secretary of wildlife and parks to determine any issue related to the title  
30 IV-D case except to resolve questions of mistaken identity or determine  
31 the adequacy of any notice relating to this subsection that the secretary  
32 of wildlife and parks provides to the applicant.

33 "Title IV-D" means part D of title IV of the federal social security act  
34 (42 U.S.C. § 651 et seq.) and amendments thereto, as in effect on De-  
35 cember 31, 2001, relating to child support enforcement services.

36 (d) *Except as provided in subsection (c), the secretary or the secre-*  
37 *tary's designee upon application of any person who has completed at least*  
38 *15 years of service in the Kansas national guard shall issue such person*  
39 *a lifetime combination hunting and fishing license without charge.*

40 ~~(e)~~ (e) The secretary, in accordance with K.S.A. 32-805 and amend-  
41 ments thereto, may adopt rules and regulations necessary to carry out the  
42 provisions of this section.

43 New Sec. 3. (a) For taxable years commencing after December 31,

1 2007, any individual who was a member of the Kansas national guard for  
2 the entire tax year shall be entitled to a \$100 tax credit which shall be  
3 applied against the individual's Kansas income tax liability.

4 (b) The secretary of revenue may prescribe forms for the adminis-  
5 tration of this section and may adopt rules and regulations for such  
6 purpose.

7 Sec. 4. K.S.A. 8-177a and K.S.A. 2006 Supp. 32-930 are hereby  
8 repealed.

9 Sec. 5. This act shall take effect and be in force from and after its  
10 publication in the statute book.