

SENATE Substitute for HOUSE BILL No. 2923

AN ACT concerning veterans; relating to assistance therefor; making and concerning appropriations for the fiscal year ending June 30, 2009, for state agencies; amending K.S.A. 2007 Supp. 8-1,146 and 74-8724 and repealing the existing sections.

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

Section 1.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures — administration
For the fiscal year ending June 30, 2009..... \$60,000

New Sec. 2. (a) Employees of the state of Kansas who serve in the military reserves and are called to full-time military duty, mobilized and deployed on and after July 1, 2008, are hereby authorized to receive a one-time activation gross payment of \$1,500.

(b) Employees of the state of Kansas who serve in the military reserves and are called to or currently on full-time military duty, mobilized and deployed on or after July 1, 2008, are hereby authorized to receive the difference between such employee’s military base pay and such employee’s regular state of Kansas employee wages when the military base pay is an amount less than the regular state employee wages not to exceed \$1,000 gross payment per pay period.

(c) In order to receive any payment pursuant to this section, the eligible employee shall present a copy of such employee’s orders, along with any required paperwork to the employing agency.

(d) As used in this section, “eligible employee” means an employee who is:

- (1) A current benefits eligible state of Kansas employee in the military reserves, including unclassified temporary employees who are benefits eligible;
- (2) activated to full-time military duty; and
- (3) mobilized and deployed in excess of 30 consecutive days in support of a military operation.

The employee is eligible if in any of the following military reserve groups in the United States: The military branches and related services of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army or Air National Guard, Public Health Commissioned Corps, or other category of person designated by the President in time of war or emergency. The individual shall have been a state employee when mobilized and deployed.

(e) The secretary of administration shall adopt rules and regulations to implement the provisions of this section.

Sec. 3.

DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Reimbursement for annual licenses issued to Kansas disabled veterans
For the fiscal year ending June 30, 2009..... \$75,392

Provided, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2009 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *Provided further*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *And provided further*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

New Sec. 4. (a) A person who is in full-time military service of the United States and is or soon to be mobilized or deployed outside of the United States for a period of at least six months solely by reason of military orders, on or before December 1 of the year in which such person files a claim under this section, may elect to defer all or part of such person's real property taxes for such person's principal place of residence for any year in which such person is serving in active military duty for a period not to exceed two years. To exercise such election to defer, such person shall obtain a claim for deferral from the county clerk and file such claim with the county treasurer of the county in which the property is located. A person who is a family member or an attorney-in-fact of such person otherwise qualified to claim this deferral, may act for such person in claiming such deferral when such person's military service prevents such person from making such claim for deferral. The claim shall be accompanied by proof of military status in a form as provided by the secretary of revenue.

(b) Such deferral shall have the effect of deferring all or part of such person's real property taxes as provided in subsection (a) for a period not to exceed two years, and to waive any interest or penalties related to such deferred real property taxes.

(c) All such deferred real property taxes shall become payable when the deferral period ends, or the property is sold or title of such property is transferred to someone other than the person who made the election pursuant to subsection (a).

(d) The secretary of revenue shall adopt rules and regulations regarding the forms that support the deferral claimed pursuant to this section and such other matters necessary to administer the provisions of this section.

Sec. 5. K.S.A. 2007 Supp. 8-1,146 is hereby amended to read as follows: 8-1,146. (a) Any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less, motorcycles or travel trailers, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person has proof of: (1) Having served and is designated as a veteran, and has had an honorable discharge from the United States army, navy, air force, marine corps, coast guard or merchant marines, or (2) *currently serving in the United States army, navy, air force, marine corps, coast guard or merchant marines*, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck, motorcycle or travel trailer designating such person as an United States military veteran. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

On and after January 1, 2005, any person issued a license plate under this section may request a decal for each license plate indicating the appropriate military branch in which the person served *or is currently serving*.

(b) Any person who is a veteran *or current member* of the United States army, navy, air force, marine corps, coast guard or merchant marines may make application for such distinctive license plates, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive license plates shall furnish the director with proof as the director shall require that the applicant is a veteran *or current member* of the United States army, navy, air force, marine corps, coast guard or merchant marines. Application for the registration of a passenger vehicle, truck, motorcycle or travel trailer and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with

K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

(e) A fee of \$2 shall be paid for each decal issued under subsection (a). The director of vehicles shall design such decals. Such decals shall be affixed to the license plate in the location required by the director.

Sec. 6. K.S.A. 2007 Supp. 74-8724 is hereby amended to read as follows: 74-8724. (a) Notwithstanding any provision of law to the contrary, the Kansas lottery commission shall establish an instant lottery scratch-off game designated as the veterans benefit game, which shall be conducted by the Kansas lottery. Tickets for the veterans benefit game established by this section shall be offered for sale ~~only between May 1 through November 30 of each year~~ *year-round*.

(b) The Kansas lottery commission shall adopt rules and regulations governing the establishment of the veterans benefit game pursuant to K.S.A. 74-8710, and amendments thereto, except that subsection (b) of K.S.A. 74-8710, and amendments thereto, shall not apply to the veterans benefit game established by this section.

(c) Notwithstanding the provisions of K.S.A. 79-4801 et seq., and K.S.A. 74-8711, and amendments thereto, all net profits, received from the sale of veterans benefit game lottery tickets, materials and games, as prescribed by rules and regulations adopted pursuant to subsection (b) of this section, shall be deposited in the state treasury and shall be used as follows: (1) ~~The amount equal to 50% of such net profits~~ *An amount equal to 40% of such net profits* shall be appropriated for purposes directly benefitting members of the Kansas army and air national guard and their families to provide for Kansas national guard educational assistance act scholarships pursuant to K.S.A. 74-32,145 et seq., and amendments thereto, and, to the extent that moneys are available, for other purposes directly benefitting members of the Kansas army and air national guard and their families as provided by appropriation act; ~~and (2) the amount equal to 50% of such net profits~~ *An amount equal to 30% of such net profits* shall be appropriated for operating expenditures and capital improvements, or as otherwise provided by appropriation act, for the use and benefit of the Kansas veterans' home, the Kansas soldiers' home and the state veterans cemetery system; *and*

(3) an amount equal to 30% of such net profits from: (A) July 1, 2008, to June 30, 2010, shall be appropriated for the museum of the Kansas national guard to expand the museum facility to include a 35th Infantry Division Museum and a museum education center as provided by appropriation act; and (B) from and after July 1, 2010, shall be appropriated for a veterans enhanced service delivery program.

(d) The Kansas lottery commission shall change the design or theme of the veterans benefit game regularly so that the game remains competitive with the other instant lottery scratch-off games offered by such commission. The tickets for the instant lottery game authorized by this section shall clearly state that the profits derived from the game shall be used to benefit veterans and veterans issues in this state.

Sec. 7. K.S.A. 2007 Supp. 8-1,146 and 74-8724 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.