

2016 Kansas Statutes

48-268. Same; investigation; hearing; presumptions; interpretation of law or evidence. No payments shall be made under K.S.A. 48-266, 48-267 and 48-269 until a full investigation has been made by the adjutant general of the occurrence upon which the entitlement is based, and a hearing has been held and determination has been made thereon by the military disability board. In construction of this act there shall be no presumption that death or disability of any member was incurred in the line of duty, nor shall there be a liberal interpretation of the law or evidence in favor of any person claiming under this act. In the event of death or disability of a member resulting from a heart, circulatory or respiratory condition there must be clear and precise evidence that death or disability was incurred in the line of duty.

History: L. 1972, ch. 206, § 8; March 23.