

HOUSE BILL No. 2309

By Representative Helgerson

2-13

1 AN ACT concerning arts industries; creating the Kansas arts commission
2 and transferring to it certain functions from the Kansas creative arts
3 industries commission; creating the Kansas arts commission gifts,
4 grants and bequests fund, the Kansas arts commission special gifts
5 fund, Kansas arts commission fund and the Kansas arts commission
6 checkoff fund; amending K.S.A. 74-5207, 74-5208, 74-5209 and 74-
7 7901 and K.S.A. 2018 Supp. 8-1,161, 75-2269, 75-5072 and 79-3221m
8 and repealing the existing sections.
9

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

11 New Section 1. (a) There is hereby created a Kansas arts commission,
12 which shall be composed of nine members. The members of the
13 commission shall include:

- 14 (1) Two members appointed by the president of the senate;
- 15 (2) one member appointed by the minority leader of the senate;
- 16 (3) two members appointed by the speaker of the house of
17 representatives;
- 18 (4) one member appointed by the minority leader of the house of
19 representatives; and
- 20 (5) three members appointed by the governor.

21 The members of the commission shall be broadly representative of the
22 major fields of the arts and shall be appointed from among private citizens
23 who are widely known for having competence and experience in
24 connection with the arts, or educational or business leaders in the arts field
25 with an interest in promoting the arts, as well as having knowledge of
26 community and state interests. In making these appointments, the
27 appointing authorities shall seek and consider those recommended for
28 membership by persons or organizations involved in the educational,
29 business and professional arts fields. Except as provided by subsection (b),
30 members shall be appointed for terms of three years. Members may not
31 serve more than two terms and are not eligible for reappointment
32 following the end of their second term of office. The commission shall
33 have a chairperson, vice-chairperson, and secretary-treasurer, which
34 officers shall be designated by the governor from the membership of the
35 commission. The commission shall meet upon call of the chairperson at
36 least once each quarter. Meetings may take place in various locations

1 across Kansas. Members of the Kansas arts commission attending
2 meetings of such commission, or attending a subcommittee meeting
3 thereof authorized by such commission, shall be paid compensation,
4 subsistence allowances, mileage and other expenses as provided in K.S.A.
5 75-3223, and amendments thereto. Employment by the state, or any
6 instrumentality or subdivision of the state, shall not prevent any person
7 from accepting appointment to and serving on the commission.

8 (b) Of the members appointed for the initial appointments, three
9 members shall be appointed for terms of one year, three members shall be
10 appointed for terms of two years, and three members shall be appointed for
11 terms of three years, as selected by the governor. Thereafter, members
12 shall be appointed for terms of three years and until successors are
13 appointed and qualified.

14 (c) Nothing in this section shall be construed as prohibiting the
15 reappointment of members of the commission who had been appointed to
16 the commission prior to July 1, 2019.

17 New Sec. 2. (a) The Kansas arts commission shall be the official
18 agency of the state for the development and coordination of the arts within
19 the state.

20 (b) The commission shall support, coordinate, foster and develop the
21 arts and their practice within this state.

22 (c) The commission may develop a program or programs of
23 coordination between the state and any local subdivision of government
24 within this state, private agencies, organizations, associations, or with the
25 United States or any agency or instrumentality thereof. The commission
26 shall fulfill all grant requirements of the federal national endowment for
27 the arts and shall take all steps necessary to obtain and maintain such
28 status with the national endowment for the arts conferring full eligibility
29 for national endowment for the arts grant programs.

30 (d) The commission may accept funds, artifacts or property from any
31 person, corporation, association, or from the federal government, or any
32 agency or instrumentality thereof or from any subdivision of government
33 of this state, for any purpose relating to the promotion or expansion of the
34 arts. The commission may sell, transfer, trade, loan or dispose of the
35 property received by the commission consistent with any lawful conditions
36 under which such property has been accepted and received by the
37 commission. The commission shall remit all moneys received by or for it
38 under this subsection to the state treasurer in accordance with the
39 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
40 each such remittance, the state treasurer shall deposit the entire amount in
41 the state treasury to the credit of the Kansas arts commission gifts, grants
42 and bequests fund, which is hereby created in the state treasury. All
43 expenditures from the fund shall be made in accordance with appropriation

1 acts upon warrants of the director of accounts and reports issued pursuant
2 to vouchers approved by the chairperson of the commission or by a person
3 or persons designated by the chairperson.

4 (e) The commission may accept and receive funds, including funds
5 from the sale of property, real or personal, the acceptance of which is
6 subject to use for a purpose specified by the donor of such funds. The
7 commission shall remit all moneys received by or for it under this
8 subsection 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 Kansas arts commission special gifts fund,
12 which is hereby created in the state treasury. All expenditures from the
13 fund shall be made in accordance with appropriation acts upon warrants of
14 the director of accounts and reports issued pursuant to vouchers approved
15 by the chairperson of the commission or by a person or persons designated
16 by the chairperson.

17 (f) All moneys, funds and accounts of the commission shall be
18 subject to post audit under article 11 of chapter 46 of the Kansas Statutes
19 Annotated, and amendments thereto. Acceptance of real property by the
20 commission shall be subject to prior approval of the legislature.

21 (g) The commission may enter into agreement with other states, or
22 with the United States or any agency or instrumentality thereof, having
23 duties or functions similar to the commission, or with private associations
24 or corporations, private or public colleges or universities, any public or
25 private school or individual persons, for any purpose consistent with the
26 objectives and purposes of the commission.

27 (h) The commission may prepare, promulgate or publish advertising
28 and promotional books, pamphlets and materials relating to the arts, and
29 shall prepare and publish reports or surveys containing information
30 relating to the arts and the activities of the commission or other agencies,
31 public or private, as may be requested by the governor or the legislature.

32 (i) The commission may formulate, in cooperation with the state
33 board of education, programs furthering the arts in education, including
34 artists-in-residence programs. Such programs shall be designed to foster a
35 greater understanding and knowledge of the arts, to utilize the arts as an
36 intellectual stimulus, to utilize the arts as an aid in dealing with personal
37 and social adjustment problems or learning disabilities and to facilitate and
38 to improve other academic courses or programs by using the arts as an
39 educational tool and medium. The commission may prepare, promulgate
40 or publish information about such programs. Any board of education or the
41 governing body of any other political subdivision, or any agent or
42 employee thereof, may request information on such programs or request to
43 participate in such programs, and such board of education or governing

1 body may implement such programs within such political subdivision.

2 (j) The commission may appoint an executive director who shall be in
3 the unclassified service under the Kansas civil service act and who shall
4 receive an annual salary fixed by the commission and approved by the
5 governor. The executive director may appoint other necessary employees
6 who shall be in the unclassified service or classified service of the Kansas
7 civil service act as designated by the executive director.

8 (k) There is hereby created in the state treasury the Kansas arts
9 commission fund. Subject to appropriation, all moneys deposited in the
10 fund shall be used solely for the purpose of funding the Kansas arts
11 commission and shall be sufficient to meet minimum financial matching
12 requirements of the national endowment for the arts. All expenditures from
13 the fund shall be made in accordance with appropriation acts upon
14 warrants of the director of accounts and reports issued pursuant to
15 vouchers approved by the chairperson of the commission or by a person or
16 persons designated by the chairperson.

17 (l) The commission may do any and all other acts or things as may be
18 deemed necessary and convenient by the commission to foster and
19 promote the development of the arts in this state. The commission shall
20 take all acts within the power of the commission to obtain and maintain
21 minimum financial matching requirements of the national endowment for
22 the arts and to obtain and maintain membership in the mid-American arts
23 alliance.

24 (m) The attorney general shall furnish such legal services as may be
25 necessary upon receipt of a request from the commission, except that legal
26 services may be furnished by private counsel in the commission's
27 discretion.

28 New Sec. 3. (a) Except as otherwise provided by this section, all of
29 the powers, duties and functions of the existing Kansas creative arts
30 industries commission are hereby transferred to, conferred and imposed
31 upon the Kansas arts commission established by this act. The following
32 functions shall remain with the Kansas creative arts industries commission
33 within the department of commerce: Development of strategies on
34 methods to attract film-making enterprises to the state of Kansas;
35 assistance to the department of commerce division of business
36 development in locating and researching locations for possible use by the
37 movie industry; assistance to students in Kansas in developing film-
38 making skills; provision of assistance to movie personnel who utilize
39 Kansas as a location for filming as may be directed by the division;
40 provision of support at official hospitality functions for the film industry;
41 participation in trade shows and official functions pertaining to the film
42 industry; and assistance in the establishment of motion picture ventures
43 and such related matters as the division deems appropriate.

1 (b) Except as otherwise provided by subsection (a), the Kansas arts
2 commission established by this act shall be the successor in every way to
3 the powers, duties and functions of the Kansas creative arts industries
4 commission in which the same were vested prior to July 1, 2019. Every act
5 performed in the exercise of such powers, duties and functions by or under
6 the authority of the Kansas arts commission shall be deemed to have the
7 same force and effect as if performed by the Kansas creative arts industries
8 commission in which such powers, duties and functions were vested prior
9 to July 1, 2019.

10 (c) Except as otherwise provided with respect to the functions
11 identified in subsection (a), whenever the Kansas creative arts industries
12 commission, or words of like effect, are referred to or designated by a
13 statute, contract or other document, such reference or designation shall be
14 deemed to apply to the Kansas arts commission.

15 (d) Except as otherwise provided by this section, rules and
16 regulations of the Kansas creative arts industries commission in existence
17 on the effective date of this act shall continue to be effective and shall be
18 deemed to be duly adopted rules and regulations of the Kansas arts
19 commission established by this act, until revised, amended, revoked or
20 nullified pursuant to law.

21 (e) Except as otherwise provided by this section, orders and directives
22 of the Kansas creative arts industries commission in existence on the
23 effective date of this act shall continue to be effective and shall be deemed
24 to be orders and directives of the Kansas arts commission established by
25 this act, until revised, amended, revoked or nullified pursuant to law.

26 (f) Except with respect to the functions identified in subsection (a), on
27 the effective date of this act, the Kansas arts commission shall succeed to
28 whatever right, title or interest the Kansas creative arts industries
29 commission has acquired in any real property in this state, and the Kansas
30 arts commission shall hold the same for and in the name of the state of
31 Kansas. On and after July 1, 2019, whenever any statute, contract, deed or
32 other document concerns the power or authority of the Kansas creative arts
33 industries commission to acquire, hold or dispose of real property or any
34 interest therein, the Kansas arts commission shall succeed to such power
35 or authority.

36 (g) On July 1, 2019, all officers and employees who, immediately
37 prior to such date, were engaged in the performance of powers, duties or
38 functions of the Kansas creative industries commission that are transferred
39 by this act, and who, in the opinion of the executive director of the Kansas
40 arts commission, are necessary to perform the powers, duties and functions
41 of the Kansas arts commission, shall be transferred to, and shall become
42 officers and employees of the Kansas arts commission.

43 (h) Officers and employees of the Kansas creative industries

1 commission transferred by this act shall retain all retirement benefits and
2 leave balances and rights that had accrued or vested prior to the date of
3 transfer. The service of each such officer and employee so transferred shall
4 be deemed to have been continuous. All transfers, layoffs or abolition of
5 classified service positions under the Kansas civil service act shall be
6 made in accordance with the civil service laws and any rule and regulation
7 adopted thereunder.

8 (i) For the purposes of K.S.A. 12-2536, and amendments thereto, the
9 Kansas arts commission, instead of the Kansas creative arts industries
10 commission within the department of commerce, shall provide an
11 appointee to serve on the metropolitan culture commission.

12 Sec. 4. K.S.A. 2018 Supp. 8-1,161 is hereby amended to read as
13 follows: 8-1,161. (a) Any owner or lessee of one or more passenger
14 vehicles or trucks registered for a gross weight of not more than 20,000
15 pounds who is a resident of Kansas, upon compliance with the provisions
16 of this section, may be issued one support Kansas arts license plate for
17 each such passenger vehicle or truck. Such license plates shall be issued
18 for the same time as other license plates upon proper registration and
19 payment of the regular license fee as provided in K.S.A. 8-143, and
20 amendments thereto, and either the payment to the county treasurer of the
21 logo use royalty payment established by the commission or the
22 presentation of the annual logo use authorization statement provided for in
23 subsection (b).

24 (b) The ~~Kansas creative arts industries~~ commission, created under
25 ~~K.S.A. 74-5207 sections 1 and 2~~, and amendments thereto, may authorize
26 the use of their logo to be affixed on license plates as provided by this
27 section. Any royalty payment derived from this section shall be credited to
28 the ~~Kansas creative arts industries~~ commission special gifts fund and shall
29 be used in accordance with the provisions of ~~K.S.A. 74-5208 section 2~~,
30 and amendments thereto. Any motor vehicle owner or lessee may annually
31 apply to the commission for the use of such logo. Upon annual application
32 and payment to either: (1) The commission in an amount of not less than
33 \$25 nor more than \$100 as a logo use royalty payment for each license
34 plate to be issued, the commission shall issue to the motor vehicle owner
35 or lessee, without further charge, a logo use authorization statement, which
36 shall be presented by the motor vehicle owner or lessee at the time of
37 registration; or (2) the county treasurer of the logo use royalty payment for
38 each license plate to be issued.

39 (c) Any applicant for a support Kansas arts license plate may make
40 application for such plates not less than 60 days prior to such person's
41 renewal of registration date, on a form prescribed and furnished by the
42 director of motor vehicles, and any applicant for the support Kansas arts
43 license plates shall either provide the annual logo use authorization

1 statement provided for in subsection (b) or pay to the county treasurer the
2 logo use royalty payment established by the commission. Application for
3 registration of a passenger vehicle or truck and issuance of the license
4 plate under this section shall be made by the owner or lessee in a manner
5 prescribed by the director of vehicles upon forms furnished by the director.

6 (d) No registration or support Kansas arts license plate issued under
7 this section shall be transferable to any other person.

8 (e) The director of vehicles may transfer support Kansas arts license
9 plates from a leased vehicle to a purchased vehicle.

10 (f) Renewals of registration under this section shall be made annually,
11 upon payment of the fee prescribed in subsection (a), in the manner
12 prescribed in ~~subsection (b) of K.S.A. 8-132(b)~~, and amendments thereto.
13 No renewal of registration shall be made to any applicant until such
14 applicant provides to the county treasurer either the annual logo use
15 authorization statement provided for in subsection (b) or the payment of
16 the annual logo use royalty payment established by the commission. If
17 such logo use authorization statement is not presented at the time of
18 registration or faxed by the commission, or the annual logo use royalty
19 payment is not made to the county treasurer, the applicant shall be required
20 to comply with K.S.A. 8-143, and amendments thereto, and return the
21 support Kansas arts license plate to the county treasurer of such person's
22 residence.

23 (g) The Kansas ~~creative arts industries~~ commission shall:

24 (1) Pay the initial cost of silk-screening for such support Kansas arts
25 license plates; and

26 (2) provide to all county treasurers a toll-free telephone number
27 where applicants can call the Kansas ~~creative arts industries~~ commission
28 for information concerning the application process or the status of their
29 license plate application.

30 (h) The Kansas ~~creative arts industries~~ commission, with the approval
31 of the director of vehicles and subject to the availability of materials and
32 equipment, shall design a plate to be issued under the provisions of this
33 section.

34 (i) As a condition of receiving the support Kansas arts license plate
35 and any subsequent registration renewal of such plate, the applicant must
36 provide consent to the division authorizing the division's release of motor
37 vehicle record information, including the applicant's name, address,
38 royalty payment amount, plate number and vehicle type to the Kansas
39 ~~creative arts industries~~ commission.

40 (j) Annual royalty payments collected by county treasurers under this
41 section shall be remitted to the state treasurer in accordance with the
42 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
43 each such remittance the state treasurer shall deposit the entire amount in

1 the state treasury to the credit of the Kansas ~~creative arts industries~~
2 commission special gifts fund.

3 Sec. 5. K.S.A. 74-5207 is hereby amended to read as follows: 74-
4 5207. (a) There is hereby created within the department of commerce the
5 Kansas creative arts industries commission to measure, promote, support
6 and expand the ~~creative~~ *film and movie* industries to drive the Kansas
7 economy, grow jobs and enhance the quality of life for all Kansans.

8 (b) (1) The commission shall consist of 11 members, serving for
9 terms of three years. Members may be reappointed to a term of three years.
10 Members may not serve more than two terms and are not eligible for
11 reappointment following the end of such member's second term of office.
12 There shall always be at least one member from each congressional
13 district. The members of the commission shall include: Two members
14 appointed by the president of the senate; one member appointed by the
15 minority leader of the senate; two members appointed by the speaker of
16 the house of representatives; one member appointed by the minority leader
17 of the house of representatives; and five members appointed by the
18 governor. All members appointed by the governor shall be appointed for
19 terms of three years, except that, in the initial appointment, three of the
20 members shall be appointed for two-year terms and two shall be appointed
21 for three-year terms. The governor shall designate the term ~~for which~~ *that*
22 each of the members first appointed shall serve. The commission shall
23 convene annually by the 20th day of the legislative session and elect a
24 chairperson and a vice-chairperson from among its members.

25 (2) The members of the commission shall be broadly representative
26 of the major fields of the arts and related creative industries and shall be
27 appointed from among private citizens who are widely known for having
28 competence and experience in connection with ~~the arts~~ *film* and related
29 creative industries or business leaders with an interest in promoting the
30 ~~arts~~ *film* and the ~~creative~~ *movie* industries, as well as having knowledge of
31 community and state interests. In making these appointments, the
32 appointing authorities shall seek and consider those recommended for
33 membership by persons or organizations involved in civic, educational,
34 business, labor, professional, cultural, ethnic or performing and creative
35 arts *or film and movie* fields.

36 (c) The commission shall meet on the call of the chair, but not less
37 than four times during each calendar year. Six members of the commission
38 shall constitute a quorum. Meetings may take place in various locations
39 across Kansas. Members of the commission attending meetings of such
40 division, or attending a subcommittee meeting thereof, authorized by such
41 division, shall be paid compensation, subsistence allowances, mileage and
42 other expenses as provided in K.S.A. 75-3223, and amendments thereto.
43 Employment by the state, or any instrumentality or subdivision of the

1 state, shall not prevent any person from accepting appointment to and
2 serving on the advisory board.

3 Sec. 6. K.S.A. 74-5208 is hereby amended to read as follows: 74-
4 5208. (a) There is hereby created in the state treasury the creative
5 industries fund. Moneys from the following sources shall be credited to the
6 fund:

7 (1) Moneys appropriated to the fund by the legislature; and

8 (2) any gifts, grants or donations from private or public sources that
9 the commission is hereby authorized to accept. No moneys from gifts,
10 grants and donations shall be spent for any purpose other than ~~arts-~~
11 programs *to further the film and movie industries in Kansas* that the
12 commission has authorized.

13 (b) All payments and disbursements from the fund shall be made in
14 accordance with appropriation acts upon warrants of the director of
15 accounts and reports issued pursuant to vouchers approved by the director
16 or by a person or persons designated by the director.

17 Sec. 7. K.S.A. 74-5209 is hereby amended to read as follows: 74-
18 5209. (a) The commission shall be the official agency of the state for the
19 development and coordination of the *film arts* within the state and
20 employment development in the ~~creative arts~~ *film and movie* industries.
21 The commission shall promote, support, coordinate, foster, develop and
22 measure the outcomes of ~~the~~ *such* arts, their practice and their impact on
23 employment development within this state and shall have the power to:

24 (1) Appoint such advisory committees as it deems advisable and
25 necessary to effectuate the provisions of this act;

26 (2) accept, on behalf of the state of Kansas, and expend any federal
27 funds granted by act of congress or by executive order for all or any
28 purpose of the commission, except that the commission may expend such
29 funds only upon appropriation by the legislature if the federal funds
30 require matching state contributions or capital outlay or create a
31 commitment for future state spending;

32 (3) accept any gifts, grants, donations or bequests for all or any of the
33 purposes of the commission, including funds from the sale of real or
34 personal property;

35 (4) ~~propose methods and processes to encourage private and public~~
36 ~~initiatives that recognize and enhance the role that the arts play in creative~~
37 ~~industries;~~

38 (5) prepare, promulgate or publish advertising and promotional
39 books, pamphlets and materials consistent with the purposes of this act,
40 and prepare and publish reports or surveys containing information relating
41 to ~~the arts~~ *film and movies* and the activities of the commission or other
42 agencies, public or private, as may be requested by the governor or the
43 legislature;

1 ~~(6) advise and consult with national foundations and other local, state~~
2 ~~and federal departments and agencies on methods by which to coordinate~~
3 ~~and assist existing resources and facilities to foster artistic and cultural~~
4 ~~endeavors toward the use of the arts, both nationally and internationally, in~~
5 ~~the best interest of Kansas;~~

6 ~~(7)(5) enter into agreement with other states, or with the United States~~
7 ~~or any agency or instrumentality thereof, having duties or functions similar~~
8 ~~to the commission, or with private associations or corporations, or with~~
9 ~~private or public colleges or universities, or with any public or private~~
10 ~~school, or with individual persons for any purpose consistent with the~~
11 ~~objectives and purposes of this act;~~

12 ~~(8)(6) undertake any and all other acts or things as may be deemed~~
13 ~~necessary and convenient by the commission to foster and promote the~~
14 ~~development of the arts *film and movie industry* in this state;~~

15 ~~(9)(7) promote employment development within the *creative film and*~~
16 ~~*movie* industries; and~~

17 ~~(10)(8) adopt rules and regulations as may be necessary to effectuate~~
18 ~~the provisions of this act.~~

19 (b) The duties of the commission shall include:

20 (1) To stimulate and encourage throughout the state the study and
21 development of the *arts film and movie industry*, as well as public interest
22 and participation therein;

23 ~~(2) to take such steps as may be necessary and appropriate to~~
24 ~~encourage public interest in the cultural heritage of the state of Kansas and~~
25 ~~to expand the state's cultural resources;~~

26 ~~(3) to encourage and assist freedom of artistic expression essential for~~
27 ~~the well-being of the arts;~~

28 ~~(4) to assist the communities and organizations within the state in~~
29 ~~originating and creating their own cultural and artistic programs;~~

30 ~~(5) to make such surveys as may be deemed advisable of public and~~
31 ~~private institutions engaged within the state in artistic and cultural~~
32 ~~activities, including, but not limited to, humanities, music, theater, dance,~~
33 ~~painting, sculpture, photography, architecture and allied arts and crafts and~~
34 ~~to make recommendations concerning the appropriate methods to~~
35 ~~encourage participation in and appreciation of the arts in order to meet the~~
36 ~~legitimate needs and aspirations of persons in all parts of the state;~~

37 (6) to develop strategies on methods to attract film making enterprises
38 to the state of Kansas; assist the division of business development in the
39 locating and researching of locations for possible use by the movie
40 industry; assist students in Kansas in developing film making skills;
41 provide assistance to movie personnel who utilize Kansas as a location for
42 filming as may be directed by the division; provide support at official
43 hospitality functions for the film industry; participate in trade show and

1 official functions pertaining to the film industry; and assist in the
2 establishment of motion picture ventures and such related matters as the
3 commission deems appropriate;

4 ~~(7) to formulate, in cooperation with the state board of education,~~
5 ~~programs furthering the arts in education, including artists-in-residence~~
6 ~~programs. Such programs shall be designed to foster a greater~~
7 ~~understanding and knowledge of the arts, to utilize the arts as an~~
8 ~~intellectual stimulus, to utilize the arts as an aid in dealing with personal~~
9 ~~and social adjustment problems or learning disabilities and to facilitate and~~
10 ~~to improve other academic courses or programs by using the arts as an~~
11 ~~educational tool and medium. The commission shall disseminate~~
12 ~~information about such programs. Any board of education or the governing~~
13 ~~body of any other political subdivision, or any agent or employee thereof,~~
14 ~~may request information on such programs or request to participate in such~~
15 ~~programs, and such board of education or governing body may implement~~
16 ~~such programs with such political subdivision;~~

17 ~~(8)(3) to develop metrics showing the impact of the creative film and~~
18 ~~movie industries on employment development; and~~

19 ~~(9)(4) to submit a report of the commission's recommendations not~~
20 ~~later than February 1 of each calendar year to the governor, the secretary~~
21 ~~of commerce and the legislature.~~

22 (c) The department of commerce shall provide staff consisting of a
23 director and other assistance as may be required by the commission in the
24 performance of its duties. The secretary of revenue shall provide any
25 datum relevant in measuring the economic outcomes of arts programs to
26 the commission.

27 Sec. 8. K.S.A. 74-7901 is hereby amended to read as follows: 74-
28 7901. There is hereby created a Kansas wildlife arts council, which shall
29 be composed of five members. One member shall be a member of the
30 Kansas wildlife, parks and tourism commission appointed by such
31 commission, one member shall be a member of the Kansas creative arts
32 industries commission appointed by such commission, one member shall
33 be the director of the Fort Hays state university Sternberg museum, and
34 two members shall be from the public at large appointed by the president
35 of Fort Hays state university. The director of the Fort Hays state university
36 Sternberg museum shall be chairperson of the council, and personnel of
37 the Fort Hays state university Sternberg museum shall provide such staff
38 and clerical services as the council may require.

39 Sec. 9. K.S.A. 2018 Supp. 75-2269 is hereby amended to read as
40 follows: 75-2269. (a) There is hereby created a capitol preservation
41 committee, which will include the membership of the following:

42 (1) The statehouse architect;

43 (2) the executive director of the state historical society;

1 (3) the *executive* director of the Kansas ~~creative arts~~ ~~industries~~
2 commission;

3 (4) three members appointed by the governor;

4 (5) two members appointed by the president of the senate and one
5 member appointed by the minority leader of the senate; and

6 (6) two members appointed by the speaker of the house of
7 representatives and one member appointed by the minority leader of the
8 house of representatives.

9 The governor shall appoint the chair of the committee. The committee
10 shall meet at least annually and more often upon call of the chairperson,
11 but no more than four meetings shall be called in any year.

12 (b) Of the members first appointed to the committee, the following
13 term lengths shall apply:

14 (1) Two members appointed by the governor shall serve two-year
15 terms, and one member appointed by the governor shall serve a one-year
16 term;

17 (2) the members appointed by the minority leaders of the senate and
18 the house of representatives shall each serve two-year terms; and

19 (3) the members appointed by the president of the senate and the
20 speaker of the house of representatives shall each serve one-year terms.

21 Successors to such members shall serve two-year terms.

22 (c) The committee shall have the following responsibilities:

23 (1) On or after January 1, 2013, approve all proposals for renovation
24 of all areas of the state capitol, the capitol's visitor center and the grounds
25 surrounding the state capitol to insure that the historical beauty of the areas
26 are preserved;

27 (2) preserve the proper decor of such areas;

28 (3) assure that any art or artistic displays are historically accurate and
29 have historic significance;

30 (4) the location and types of temporary displays and revolving
31 displays in the state capitol including the visitor center; and

32 (5) oversee the reconfiguration or redecoration of committee rooms
33 within the statehouse.

34 Implementation of the recommendations of the committee shall be the
35 responsibility of the division of legislative administrative services.

36 (d) Any permanent displays or monuments proposed to be located on
37 the state capitol grounds must be approved by the committee and
38 authorized by the passage of a bill of the state legislature.

39 (e) The capitol preservation committee shall annually submit to the
40 governor and the legislature a report of its activities and recommendations.

41 (f) Members of the committee attending meetings of the committee,
42 or attending a subcommittee meeting thereof authorized by the committee,
43 shall be paid compensation, subsistence allowances, mileage and other

1 expenses as provided in K.S.A. 75-3223, and amendments thereto,
2 however full-time state employees serving on the committee shall not
3 receive such compensation.

4 (g) The staff of the legislative research department, the office of the
5 revisor of statutes and the division of legislative administrative services
6 shall provide such assistance as may be requested by the committee and to
7 the extent authorized by the legislative coordinating council.

8 (h) Committee members may engage in or encourage fund raising
9 activities for the limited purpose of funding committee responsibilities as
10 described in subsection (c).

11 (i) No member of the committee shall hold a fiduciary interest, either
12 directly or indirectly, in any contract relating to the committee
13 responsibilities as described in subsection (c).

14 Sec. 10. K.S.A. 2018 Supp. 75-5072 is hereby amended to read as
15 follows: 75-5072. (a) As used in this section:

16 (1) "Qualified hometown" means a city or unincorporated community
17 that is a governor's hometown as defined by this section and ~~which~~ *that*
18 has satisfied the requirements of this section; and

19 (2) "governor's hometown" means the city or unincorporated
20 community listed in the election records of the secretary of state as the
21 residence of a successful candidate for governor of the state of Kansas the
22 first time such candidate was elected governor.

23 (b) For all qualified hometowns, the secretary of the Kansas
24 department of transportation shall install governor's hometown signs at all
25 appropriate locations near the city limits of a city or the edges of an
26 unincorporated community.

27 The secretary of transportation shall install such governors' hometown
28 signs only if:

29 (1) The governing body of the city or the board of county
30 commissioners for the unincorporated community has adopted a resolution
31 requesting the installation of such signs;

32 (2) the city or unincorporated community is located on a highway
33 ~~which~~ *that* is part of the state highway system; and

34 (3) the secretary has received sufficient moneys from gifts and
35 donations to reimburse the secretary for the initial cost of installing such
36 signs and an additional 50% of the initial cost to defray future maintenance
37 or replacement costs of such signs.

38 The secretary of transportation may accept and administer gifts and
39 donations to aid in obtaining and installing governors' hometown signs.

40 (c) The secretary of transportation, or the secretary's designee, shall
41 design the governors' hometown signs. The size, shape, color, design and
42 content of such signs shall be distinctive and shall be determined by the
43 secretary of transportation, except that such signs shall include: (1) The

1 name of the city or unincorporated community; (2) the governor's
2 hometown logo; and (3) an indication that such city or unincorporated
3 community is the hometown of one or more governors of Kansas, the
4 name of each governor of Kansas whose hometown is such city or
5 unincorporated community, the numerical designation of each such
6 governor in the succession of governors of Kansas and the years each such
7 governor served as governor of Kansas.

8 (d) The secretary of commerce, or the secretary's designee, shall
9 conduct a competition for the design of the governor's hometown logo.
10 The logo shall include a representation of the dome of the state capitol
11 building. In organizing and conducting such competition, the secretary of
12 commerce shall consult with and cooperate with the executive director of
13 the state historical society, the *executive* director of the Kansas-creative
14 arts-industries commission, Kansas humanities council and such other
15 agencies, persons or organizations as the secretary finds appropriate.

16 (e) The governing body of any city or the board of county
17 commissioners for any unincorporated community, not located on a
18 highway-~~which~~ *that* is part of the state highway system, may request a
19 governor's hometown sign from the secretary of transportation-~~which~~ *that*
20 meets the design specifications of subsection (c). Such city or
21 unincorporated community shall reimburse the secretary for the cost of
22 such sign and shall be responsible for the installation, repair, maintenance
23 or replacement of such sign.

24 (f) (1) The governing body of any city or the board of county
25 commissioners for any unincorporated community-~~which~~ *that* was a
26 territorial capital of Kansas, may request a territorial governor's sign from
27 the secretary of transportation, subject to the same procedure, conditions
28 and limitations contained in subsections (b) and (e).

29 (2) The secretary of transportation, or the secretary's designee, shall
30 design the territorial governor's signs. The size, shape, color, design and
31 content of such signs shall be distinctive and shall be determined by the
32 secretary of transportation, except that such signs shall include: (1) The
33 name of the city or unincorporated community; and (2) an indication that
34 such city or unincorporated community was a territorial capital of Kansas,
35 the name of each territorial governor of Kansas who served in such
36 territorial capital, the numerical designation of each such governor in the
37 succession of governors of Kansas and the years each such governor
38 served as territorial governor of Kansas.

39 Sec. 11. K.S.A. 2018 Supp. 79-3221m is hereby amended to read as
40 follows: 79-3221m. (a) For the taxable years commencing-~~after~~ *on*
41 December 31, 2012, *and ending on December 31, 2018*, each Kansas state
42 individual income tax return form shall contain a designation as follows:

43 Kansas Creative Arts Industries Commission Checkoff Fund. Check if

1 you wish to donate, in addition to your tax liability, or designate from your
2 refund, _____\$1, _____\$5, _____\$10 or \$_____.

3 (b) The director of taxation of the department of revenue shall
4 determine annually the total amount designated for contribution to the
5 Kansas creative arts industries commission checkoff fund pursuant to
6 subsection (a) and shall report such amount to the state treasurer who shall
7 credit the entire amount thereof to the Kansas creative arts industries
8 commission checkoff fund, which fund is hereby established in the state
9 treasury. All moneys deposited in such fund shall be used solely for the
10 purpose of funding the Kansas creative arts industries commission. In the
11 case where donations are made pursuant to subsection (a), the director
12 shall remit the entire amount thereof to the state treasurer in accordance
13 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
14 receipt of such remittance, the state treasurer shall deposit the entire
15 amount in the state treasury to the credit of such fund. All expenditures
16 from such fund shall be made in accordance with appropriation acts upon
17 warrants of the director of accounts and reports issued pursuant to
18 vouchers approved by the chairperson of the Kansas creative arts
19 industries commission.

20 (c) *For the taxable years commencing after December 31, 2018, each*
21 *Kansas state individual income tax return form shall contain a designation*
22 *as follows:*

23 *Kansas Arts Commission Checkoff Fund. Check if you wish to donate,*
24 *in addition to your tax liability, or designate from your refund, _____\$1,*
25 *_____ \$5, _____ \$10 or \$_____.*

26 (d) *The director of taxation of the department of revenue shall*
27 *determine annually the total amount designated for contribution to the*
28 *Kansas arts commission checkoff fund pursuant to subsection (c) and shall*
29 *report such amount to the state treasurer who shall credit the entire*
30 *amount thereof to the Kansas arts commission checkoff fund, which fund is*
31 *hereby established in the state treasury. All moneys deposited in such fund*
32 *shall be used solely for the purpose of funding the Kansas arts*
33 *commission. In the case where donations are made pursuant to subsection*
34 *(c), the director shall remit the entire amount thereof to the state treasurer*
35 *in accordance with the provisions of K.S.A. 75-4215, and amendments*
36 *thereto. Upon receipt of such remittance, the state treasurer shall deposit*
37 *the entire amount in the state treasury to the credit of such fund. All*
38 *expenditures from such fund shall be made in accordance with*
39 *appropriation acts upon warrants of the director of accounts and reports*
40 *issued pursuant to vouchers approved by the chairperson of the Kansas*
41 *arts commission.*

42 (e) *On July 1, 2019, the director of accounts and reports shall*
43 *transfer all moneys in the Kansas creative arts industries commission*

1 *checkoff fund to the Kansas arts commission checkoff fund. On July 1,*
2 *2019, all liabilities of the Kansas creative arts industries commission*
3 *checkoff fund are hereby transferred to and imposed on the Kansas arts*
4 *commission checkoff fund and the Kansas creative arts industries*
5 *commission checkoff fund is hereby abolished.*

6 Sec. 12. K.S.A. 74-5207, 74-5208, 74-5209 and 74-7901 and K.S.A.
7 2018 Supp. 8-1,161, 75-2269, 75-5072 and 79-3221m are hereby repealed.

8 Sec. 13. This act shall take effect and be in force from and after its
9 publication in the statute book.