

## HOUSE BILL No. 2349

By Committee on General Government Budget

2-10

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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; amending K.S.A. 2016 Supp. 8-1,161, 74-5207,  
4 74-5209, 74-7901, 75-2269, 75-5072 and 79-3221m and repealing the  
5 existing sections.  
6

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

8 New Section 1. (a) There is hereby created a Kansas arts commission,  
9 which shall be composed of nine members. The members of the  
10 commission shall include: Two members appointed by the president of the  
11 senate; one member appointed by the minority leader of the senate; two  
12 members appointed by the speaker of the house of representatives; one  
13 member appointed by the minority leader of the house of representatives;  
14 and three members appointed by the governor. The members of the  
15 commission shall be broadly representative of the major fields of the arts  
16 and shall be appointed from among private citizens who are widely known  
17 for having competence and experience in connection with the arts, or  
18 educational or business leaders in the arts field with an interest in  
19 promoting the arts, as well as having knowledge of community and state  
20 interests. In making these appointments, the appointing authorities shall  
21 seek and consider those recommended for membership by persons or  
22 organizations involved in the educational, business and professional arts  
23 fields. Except as provided by subsection (b), members shall be appointed  
24 for terms of three years. Members may be reappointed to a term of three  
25 years. Members may not serve more than two terms and are not eligible  
26 for reappointment following the end of their second term of office. The  
27 commission shall have a chairperson, vice-chairperson, and secretary-  
28 treasurer, which officers shall be designated by the governor from the  
29 membership of the commission. The commission shall meet upon call of  
30 the chairperson, but at least once each quarter. Meetings may take place in  
31 various locations across Kansas. Members of the Kansas arts commission  
32 attending meetings of such commission, or attending a subcommittee  
33 meeting thereof authorized by such commission, shall be paid  
34 compensation, subsistence allowances, mileage and other expenses as  
35 provided in K.S.A. 75-3223, and amendments thereto. Employment by the  
36 state, or any instrumentality or subdivision of the state, shall not prevent

1 any person from accepting appointment to and serving on the commission.

2 (b) Of the members appointed for the initial appointments, three  
3 members shall be appointed for terms of one year, three members shall be  
4 appointed for terms of two years, and three members shall be appointed  
5 for terms of three years. Thereafter, members shall be appointed for terms  
6 of three years and until successors are appointed and qualified.

7 (c) Nothing in this section shall be construed as prohibiting the  
8 reappointment of members of the commission who had been appointed  
9 prior to the effective date of this act.

10 New Sec. 2. (a) The Kansas arts commission shall be the official  
11 agency of the state for the development and coordination of the arts within  
12 the state.

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

15 (c) The commission may develop a program or programs of  
16 coordination consistent with the purposes of this act between the state and  
17 any local subdivision of government within this state, private agencies,  
18 organizations, associations, or with the United States or any agency or  
19 instrumentality thereof. The commission shall fulfill all grant requirements  
20 of the federal national endowment for the arts and shall take all steps  
21 necessary to obtain and maintain such status with the national endowment  
22 for the arts conferring full eligibility for national endowment for the arts  
23 grant programs.

24 (d) The commission may accept funds, artifacts or property from any  
25 person, corporation, association, or from the federal government, or any  
26 agency or instrumentality thereof, or from any subdivision of government  
27 of this state, for any purpose relating to the promotion or expansion of the  
28 arts. Property or artifacts received may be sold, transferred, traded, loaned  
29 or disposed of in any manner consistent with the purposes of this act and  
30 any lawful conditions under which such property has been accepted and  
31 received by the commission. The commission shall remit all moneys  
32 received by or for it under this subsection to the state treasurer in  
33 accordance with the provisions of K.S.A. 75-4215, and amendments  
34 thereto. Upon receipt of each such remittance, the state treasurer shall  
35 deposit the entire amount in the state treasury to the credit of the Kansas  
36 arts commission gifts, grants and bequests fund, which is hereby created in  
37 the state treasury.

38 (e) The commission may accept and receive funds, including funds  
39 from the sale of property, real or personal, the acceptance of which is  
40 subject to use for a purpose specified by the donor of such funds. The  
41 commission shall remit all moneys received by or for it under this  
42 subsection to the state treasurer in accordance with the provisions of  
43 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such

1 remittance, the state treasurer shall deposit the entire amount in the state  
2 treasury to the credit of the Kansas arts commission special gifts fund,  
3 which is hereby created in the state treasury. All moneys, funds and  
4 accounts of the commission shall be subject to post audit under article 11  
5 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.  
6 Acceptance of real property by the commission for retention by it shall be  
7 subject to ratification or rejection by the next succeeding session of the  
8 legislature.

9 (f) The commission may enter into agreement with other states, or  
10 with the United States or any agency or instrumentality thereof, having  
11 duties or functions similar to the commission, or with private associations  
12 or corporations, private or public colleges or universities, any public or  
13 private school, individual persons, for any purpose consistent with the  
14 objectives and purposes of this act.

15 (g) The commission may prepare, promulgate or publish advertising  
16 and promotional books, pamphlets and materials consistent with the  
17 purposes of this act, and shall prepare and publish reports or surveys  
18 containing information relating to the arts and the activities of the  
19 commission or other agencies, public or private, as may be requested by  
20 the governor or the legislature.

21 (h) The commission may formulate, in cooperation with the state  
22 board of education, programs furthering the arts in education, including  
23 artists-in-residence programs. Such programs shall be designed to foster a  
24 greater understanding and knowledge of the arts, to utilize the arts as an  
25 intellectual stimulus, to utilize the arts as an aid in dealing with personal  
26 and social adjustment problems or learning disabilities, and to facilitate  
27 and to improve other academic courses or programs by using the arts as an  
28 educational tool and medium. The commission may disseminate  
29 information about such programs. Any board of education or the governing  
30 body of any other political subdivision, or any agent or employee thereof,  
31 may request information on such programs or request to participate in such  
32 programs, and such board of education or governing body may implement  
33 such programs within such political subdivision.

34 (i) The commission may appoint an executive director who shall be in  
35 the unclassified service under the Kansas civil service act and who shall  
36 receive an annual salary fixed by the commission and approved by the  
37 governor. The executive director may appoint other necessary employees  
38 who shall be in the unclassified service or classified service of the Kansas  
39 civil service act as designated by the executive director.

40 (j) There is hereby created in the state treasury the Kansas arts  
41 commission fund. Moneys appropriated to the fund by the legislature shall  
42 be credited to the fund. All moneys deposited in the fund shall be used  
43 solely for the purpose of funding the Kansas arts commission. Subject to

1 appropriation acts, moneys appropriated to the fund by the legislature shall  
2 be sufficient to meet minimum financial matching requirements of the  
3 national endowment for the arts.

4 (k) All expenditures of the commission shall be made in accordance  
5 with appropriation acts upon warrants of the director of accounts and  
6 reports issued pursuant to vouchers approved by the chairperson of the  
7 commission or by a person or persons designated by the chairperson.

8 (l) The commission may do any and all other acts or things as may be  
9 deemed necessary and convenient by the commission to foster and  
10 promote the development of the arts in this state. The commission shall  
11 take all acts within the power of the commission to obtain and maintain  
12 minimum financial matching requirements of the national endowment for  
13 the arts and to obtain and maintain membership in the mid-American arts  
14 alliance.

15 (m) The attorney general shall furnish such legal services as may be  
16 necessary upon receipt of a request from the commission, except that legal  
17 services may be furnished by other counsel as the commission in its  
18 discretion deems necessary and prudent.

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

35 (b) Except as otherwise provided by this act or with respect to the  
36 functions identified in subsection (a), the Kansas arts commission  
37 established by this act shall be the successor in every way to the powers,  
38 duties and functions of the Kansas creative arts industries commission in  
39 which the same were vested prior to the effective date of this act. Every act  
40 performed in the exercise of such powers, duties and functions by or under  
41 the authority of the Kansas arts commission established by this act shall be  
42 deemed to have the same force and effect as if performed by the Kansas  
43 creative arts industries commission in which such powers, duties and

1 functions were vested prior to the effective date of this act.

2 (c) Except as otherwise provided by this act or with respect to the  
3 functions identified in subsection (a), whenever the Kansas creative arts  
4 industries commission, or words of like effect, are referred to or  
5 designated by a statute, contract or other document, such reference or  
6 designation shall be deemed to apply to the Kansas arts commission  
7 established by this act.

8 (d) Except as otherwise provided by this act or with respect to the  
9 functions identified in subsection (a), rules and regulations of the Kansas  
10 creative arts industries commission in existence on the effective date of  
11 this act shall continue to be effective and shall be deemed to be duly  
12 adopted rules and regulations of the Kansas arts commission established  
13 by this act, until revised, amended, revoked or nullified pursuant to law.

14 (e) Except as otherwise provided by this act or with respect to the  
15 functions identified in subsection (a), orders and directives of the Kansas  
16 creative arts industries commission in existence on the effective date of  
17 this act shall continue to be effective and shall be deemed to be orders and  
18 directives of the Kansas arts commission established by this act, until  
19 revised, amended, revoked or nullified pursuant to law.

20 (f) Except as otherwise provided by this act or with respect to the  
21 functions identified in subsection (a), on the effective date of this act, the  
22 Kansas arts commission shall succeed to whatever right, title or interest  
23 the Kansas creative arts industries commission has acquired in any real  
24 property in this state, and the Kansas arts commission shall hold the same  
25 for and in the name of the state of Kansas. On and after the effective date  
26 of this act, whenever any statute, contract, deed or other document  
27 concerns the power or authority of the Kansas creative arts industries  
28 commission to acquire, hold or dispose of real property or any interest  
29 therein, the Kansas arts commission shall succeed to such power or  
30 authority.

31 (g) The Kansas arts commission established by this act shall be a  
32 continuation of the Kansas creative arts industries commission, except for  
33 functions related to film-making enterprises and the motion picture  
34 industry as set forth in subsection (a).

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

43 (i) 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 (j) 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. 2016 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. 2016 Supp. 74-5207~~ *section 1*, and amendments thereto, may  
26 authorize the use of their logo to be affixed on license plates as provided  
27 by this section. Any royalty payment derived from this section shall be  
28 credited to the ~~Kansas creative arts industries~~ commission special gifts  
29 fund and shall be used in accordance with the provisions of ~~K.S.A. 2016~~  
30 ~~Supp. 74-5208~~ *section 2*, and amendments thereto. Any motor vehicle  
31 owner or lessee may annually apply to the commission for the use of such  
32 logo. Upon annual application and payment to either: (1) The commission  
33 in an amount of not less than \$25 nor more than \$100 as a logo use royalty  
34 payment for each license plate to be issued, the commission shall issue to  
35 the motor vehicle owner or lessee, without further charge, a logo use  
36 authorization statement, which shall be presented by the motor vehicle  
37 owner or lessee at the time of registration; or (2) the county treasurer of  
38 the logo use royalty payment for 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. 2016 Supp. 74-5207 is hereby amended to read as  
4 follows: 74-5207. (a) There is hereby created within the department of  
5 commerce the Kansas creative arts industries commission to measure,  
6 promote, support and expand the ~~creative~~ *film and movie* industries to  
7 drive the Kansas economy, grow jobs and enhance the quality of life for all  
8 Kansans.

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

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

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

1 Employment by the state, or any instrumentality or subdivision of the  
2 state, shall not prevent any person from accepting appointment to and  
3 serving on the advisory board.

4 Sec. 6. K.S.A. 2016 Supp. 74-5209 is hereby amended to read as  
5 follows: 74-5209. (a) The commission shall be the official agency of the  
6 state for the development and coordination of the *film* arts within the state  
7 and employment development in the ~~creative arts~~ *film and movie*  
8 industries. The commission shall promote, support, coordinate, foster,  
9 develop and measure the outcomes of ~~the~~ *such* arts, their practice and their  
10 impact on employment development within this state and shall have the  
11 power to:

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

14 (2) accept, on behalf of the state of Kansas, and expend any federal  
15 funds granted by act of congress or by executive order for all or any  
16 purpose of the commission, except that the commission may expend such  
17 funds only upon appropriation by the legislature if the federal funds  
18 require matching state contributions or capital outlay or create a  
19 commitment for future state spending;

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

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

26 ~~(5) prepare, promulgate or publish advertising and promotional~~  
27 ~~books, pamphlets and materials consistent with the purposes of this act,~~  
28 ~~and prepare and publish reports or surveys containing information relating~~  
29 ~~to the arts film and movies and the activities of the commission or other~~  
30 ~~agencies, public or private, as may be requested by the governor or the~~  
31 ~~legislature;~~

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

37 (7) (5) enter into agreement with other states, or with the United  
38 States or any agency or instrumentality thereof, having duties or functions  
39 similar to the commission, or with private associations or corporations, or  
40 with private or public colleges or universities, or with any public or private  
41 school, or with individual persons for any purpose consistent with the  
42 objectives and purposes of this act;

43 (8) (6) undertake any and all other acts or things as may be deemed

1 necessary and convenient by the commission to foster and promote the  
2 development of the ~~arts~~ *film and movie industry* in this state;

3 ~~(9) (7)~~ promote employment development within the ~~creative~~ *film*  
4 *and movie* industries; and

5 ~~(10) (8)~~ adopt rules and regulations as may be necessary to effectuate  
6 the provisions of this act.

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

8 (1) To stimulate and encourage throughout the state the study and  
9 development of the ~~arts~~ *film and movie industry*, as well as public interest  
10 and participation therein;

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

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

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

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

25 (6) to develop strategies on methods to attract film making enterprises  
26 to the state of Kansas; assist the division of business development in the  
27 locating and researching of locations for possible use by the movie  
28 industry; assist students in Kansas in developing film making skills;  
29 provide assistance to movie personnel who utilize Kansas as a location for  
30 filming as may be directed by the division; provide support at official  
31 hospitality functions for the film industry; participate in trade show and  
32 official functions pertaining to the film industry; and assist in the  
33 establishment of motion picture ventures and such related matters as the  
34 commission deems appropriate;

35 ~~(7) to formulate, in cooperation with the state board of education,~~  
36 ~~programs furthering the arts in education, including artists-in-residence~~  
37 ~~programs. Such programs shall be designed to foster a greater~~  
38 ~~understanding and knowledge of the arts, to utilize the arts as an~~  
39 ~~intellectual stimulus, to utilize the arts as an aid in dealing with personal~~  
40 ~~and social adjustment problems or learning disabilities and to facilitate and~~  
41 ~~to improve other academic courses or programs by using the arts as an~~  
42 ~~educational tool and medium. The commission shall disseminate~~  
43 ~~information about such programs. Any board of education or the governing~~

1 ~~body of any other political subdivision, or any agent or employee thereof,~~  
 2 ~~may request information on such programs or request to participate in such~~  
 3 ~~programs, and such board of education or governing body may implement~~  
 4 ~~such programs with such political subdivision;~~

5 (8) (3) to develop metrics showing the impact of the *creative film and*  
 6 *movie* industries on employment development; and

7 (9) (4) to submit a report of the commission's recommendations not  
 8 later than February 1 of each calendar year to the governor, the secretary  
 9 of commerce and the legislature.

10 (c) The department of commerce shall provide staff consisting of a  
 11 director and other assistance as may be required by the commission in the  
 12 performance of its duties. The secretary of revenue shall provide any  
 13 datum relevant in measuring the economic outcomes of arts programs to  
 14 the commission.

15 Sec. 7. K.S.A. 2016 Supp. 74-7901 is hereby amended to read as  
 16 follows: 74-7901. There is hereby created a Kansas wildlife arts council  
 17 which shall be composed of five members. One member shall be a  
 18 member of the Kansas wildlife, parks and tourism commission appointed  
 19 by such commission, one member shall be a member of the Kansas  
 20 ~~creative arts-industries~~ commission appointed by such commission, one  
 21 member shall be the director of the Fort Hays state university Sternberg  
 22 museum, and two members shall be from the public at large appointed by  
 23 the president of Fort Hays state university. The director of the Fort Hays  
 24 state university Sternberg museum shall be chairperson of the council, and  
 25 personnel of the Fort Hays state university Sternberg museum shall  
 26 provide such staff and clerical services as the council may require.

27 Sec. 8. K.S.A. 2016 Supp. 75-2269 is hereby amended to read as  
 28 follows: 75-2269. (a) There is hereby created a capitol preservation  
 29 committee which will include the membership of the following:

- 30 (1) The statehouse architect;
- 31 (2) the executive director of the state historical society;
- 32 (3) the *executive* director of the Kansas-~~creative arts-industries~~-  
 33 commission;
- 34 (4) three members appointed by the governor;
- 35 (5) two members appointed by the president of the senate and one  
 36 member appointed by the minority leader of the senate; and
- 37 (6) two members appointed by the speaker of the house of  
 38 representatives and one member appointed by the minority leader of the  
 39 house of representatives.

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

43 (b) Of the members first appointed to the committee, the following

1 term lengths shall apply:

2 (1) Two members appointed by the governor shall serve two-year  
3 terms, and one member appointed by the governor shall serve a one-year  
4 term;

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

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

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

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

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

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

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

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

20 (5) oversee the reconfiguration or redecoration of committee rooms  
21 within the statehouse.

22 Implementation of the recommendations of the committee shall be the  
23 responsibility of the division of legislative administrative services.

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

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

29 (f) Members of the committee attending meetings of the committee,  
30 or attending a subcommittee meeting thereof authorized by the committee,  
31 shall be paid compensation, subsistence allowances, mileage and other  
32 expenses as provided in K.S.A. 75-3223, and amendments thereto,  
33 however full-time state employees serving on the committee shall not  
34 receive such compensation.

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

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

42 (i) No member of the committee shall hold a fiduciary interest, either  
43 directly or indirectly, in any contract relating to the committee

1 responsibilities as described in subsection (c).

2 Sec. 9. K.S.A. 2016 Supp. 75-5072 is hereby amended to read as  
3 follows: 75-5072. (a) As used in this section:

4 (1) "Qualified hometown" means a city or unincorporated community  
5 that is a governor's hometown as defined by this section and which has  
6 satisfied the requirements of this section; and

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

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

15 The secretary of transportation shall install such governors' hometown  
16 signs only if:

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

20 (2) the city or unincorporated community is located on a highway  
21 which is part of the state highway system; and

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

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

28 (c) The secretary of transportation, or the secretary's designee, shall  
29 design the governors' hometown signs. The size, shape, color, design and  
30 content of such signs shall be distinctive and shall be determined by the  
31 secretary of transportation, except that such signs shall include: (1) The  
32 name of the city or unincorporated community; (2) the governor's  
33 hometown logo; and (3) an indication that such city or unincorporated  
34 community is the hometown of one or more governors of Kansas, the  
35 name of each governor of Kansas whose hometown is such city or  
36 unincorporated community, the numerical designation of each such  
37 governor in the succession of governors of Kansas and the years each such  
38 governor served as governor of Kansas.

39 (d) The secretary of commerce, or the secretary's designee, shall  
40 conduct a competition for the design of the governor's hometown logo.  
41 The logo shall include a representation of the dome of the state capitol  
42 building. In organizing and conducting such competition, the secretary of  
43 commerce shall consult with and cooperate with the executive director of

1 the state historical society, the *executive* director of the Kansas-creative  
2 arts-industries commission, Kansas humanities council and such other  
3 agencies, persons or organizations as the secretary finds appropriate.

4 (e) The governing body of any city or the board of county  
5 commissioners for any unincorporated community, not located on a  
6 highway which is part of the state highway system, may request a  
7 governor's hometown sign from the secretary of transportation which  
8 meets the design specifications of subsection (c). Such city or  
9 unincorporated community shall reimburse the secretary for the cost of  
10 such sign and shall be responsible for the installation, repair, maintenance  
11 or replacement of such sign.

12 (f) (1) The governing body of any city or the board of county  
13 commissioners for any unincorporated community which was a territorial  
14 capital of Kansas, may request a territorial governor's sign from the  
15 secretary of transportation, subject to the same procedure, conditions and  
16 limitations contained in subsections (b) and (e).

17 (2) The secretary of transportation, or the secretary's designee, shall  
18 design the territorial governor's signs. The size, shape, color, design and  
19 content of such signs shall be distinctive and shall be determined by the  
20 secretary of transportation, except that such signs shall include: (1) The  
21 name of the city or unincorporated community; and (2) an indication that  
22 such city or unincorporated community was a territorial capital of Kansas,  
23 the name of each territorial governor of Kansas who served in such  
24 territorial capital, the numerical designation of each such governor in the  
25 succession of governors of Kansas and the years each such governor  
26 served as territorial governor of Kansas.

27 Sec. 10. K.S.A. 2016 Supp. 79-3221m is hereby amended to read as  
28 follows: 79-3221m. (a) For the taxable years commencing—~~after~~ *on*  
29 December 31, 2012, *and ending on December 31, 2016*, each Kansas state  
30 individual income tax return form shall contain a designation as follows:

31 Kansas Creative Arts Industries Commission Checkoff Fund. Check if  
32 you wish to donate, in addition to your tax liability, or designate from your  
33 refund, \_\_\_\_\_\$1, \_\_\_\_\_\$5, \_\_\_\_\_\$10 or \$\_\_\_\_\_.

34 (b) The director of taxation of the department of revenue shall  
35 determine annually the total amount designated for contribution to the  
36 Kansas creative arts industries commission checkoff fund pursuant to  
37 subsection (a) and shall report such amount to the state treasurer who shall  
38 credit the entire amount thereof to the Kansas creative arts industries  
39 commission checkoff fund which fund is hereby established in the state  
40 treasury. All moneys deposited in such fund shall be used solely for the  
41 purpose of funding the Kansas creative arts industries commission. In the  
42 case where donations are made pursuant to subsection (a), the director  
43 shall remit the entire amount thereof to the state treasurer in accordance

1 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
 2 receipt of such remittance, the state treasurer shall deposit the entire  
 3 amount in the state treasury to the credit of such fund. All expenditures  
 4 from such fund shall be made in accordance with appropriation acts upon  
 5 warrants of the director of accounts and reports issued pursuant to  
 6 vouchers approved by the chairperson of the Kansas creative arts  
 7 industries commission.

8 *(c) For the taxable years commencing after December 31, 2016, each*  
 9 *Kansas state individual income tax return form shall contain a designation*  
 10 *as follows:*

11 *Kansas Arts Commission Checkoff Fund. Check if you wish to donate,*  
 12 *in addition to your tax liability, or designate from your refund, \_\_\_\_\_\$1,*  
 13 *\_\_\_\_\_ \$5, \_\_\_\_\_ \$10 or \$ \_\_\_\_\_.*

14 *(d) The director of taxation of the department of revenue shall*  
 15 *determine annually the total amount designated for contribution to the*  
 16 *Kansas arts commission checkoff fund pursuant to subsection (c) and shall*  
 17 *report such amount to the state treasurer who shall credit the entire*  
 18 *amount thereof to the Kansas arts commission checkoff fund which fund is*  
 19 *hereby established in the state treasury. All moneys deposited in such fund*  
 20 *shall be used solely for the purpose of funding the Kansas arts*  
 21 *commission. In the case where donations are made pursuant to subsection*  
 22 *(c), the director shall remit the entire amount thereof to the state treasurer*  
 23 *in accordance with the provisions of K.S.A. 75-4215, and amendments*  
 24 *thereto. Upon receipt of such remittance, the state treasurer shall deposit*  
 25 *the entire amount in the state treasury to the credit of such fund. All*  
 26 *expenditures from such fund shall be made in accordance with*  
 27 *appropriation acts upon warrants of the director of accounts and reports*  
 28 *issued pursuant to vouchers approved by the chairperson of the Kansas*  
 29 *arts commission.*

30 Sec. 11. K.S.A. 2016 Supp. 8-1,161, 74-5207, 74-5209, 74-7901, 75-  
 31 2269, 75-5072 and 79-3221m are hereby repealed.

32 Sec. 12. This act shall take effect and be in force from and after its  
 33 publication in the statute book.