

HOUSE BILL No. 2189

By Committee on Federal and State Affairs

1-31

1 AN ACT concerning the veterans benefit lottery game; disposition of net
2 profits; establishing the veterans benefit lottery game fund and the
3 national guard benefit lottery game fund; amending K.S.A. 2012 Supp.
4 74-8724 and repealing the existing section.
5

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

7 New Section 1. (a) All net profits received from the sale of veterans
8 benefit lottery game tickets, materials and games, as prescribed by rules
9 and regulations adopted pursuant to subsection (b) of K.S.A. 2012 Supp.
10 74-8724, and amendments thereto, shall be transferred to and credited to
11 the veterans benefit lottery game fund and the national guard benefit
12 lottery game fund in accordance with this section.

13 (b) On or before the fifth day of each month, the executive director of
14 the Kansas lottery shall determine and certify to the director of accounts
15 and reports the aggregate amount of net profits received from the sale of
16 veterans benefit game lottery tickets, materials and games, as prescribed
17 by rules and regulations adopted pursuant to subsection (b) of K.S.A. 2012
18 Supp. 74-8724, and amendments thereto, that was transferred from the
19 lottery operating fund to the state gaming revenues fund during the
20 preceding month pursuant to subsection (d) of K.S.A. 74-8711, and
21 amendments thereto. Upon receipt of each such certification, the director
22 of accounts and reports shall transfer the amount equal to 60% of the
23 amount certified from the state gaming revenues fund to the veterans
24 benefit lottery game fund established by section 2, and amendments
25 thereto, and shall transfer the amount equal to 40% of the amount certified
26 from the state gaming revenues fund to the national guard benefit lottery
27 game fund established by section 3, and amendments thereto. At the same
28 time as such certification is transmitted to the director of accounts and
29 reports, the executive director of the Kansas lottery shall transmit a copy
30 of such certification to the director of the budget and the director of
31 legislative research.

32 New Sec. 2. (a) There is hereby established in the state treasury the
33 veterans benefit lottery game fund which shall be administered by the
34 Kansas commission on veterans affairs. All expenditures from the veterans
35 benefit lottery game fund shall be made in accordance with appropriation
36 acts upon warrants of the director of accounts and reports issued pursuant

1 to vouchers approved by the Kansas commission on veterans affairs or the
2 designee of the commission.

3 (b) Moneys credited to the veterans benefit lottery game fund shall
4 not be transferred to the state general fund. Moneys credited to the
5 veterans benefit lottery game fund shall be used only for the following
6 purposes in accordance with the following:

7 (1) Fifty percent of the moneys transferred to the veterans benefit
8 lottery game fund shall be used for operating expenditures and capital
9 improvements, or as otherwise provided by appropriation act, for the use
10 and benefit of the Kansas veterans' home, the Kansas soldiers' home and
11 the state veterans cemetery system; and

12 (2) fifty percent of the moneys transferred to the veterans benefit
13 lottery game fund shall be used for a veterans enhanced service delivery
14 program.

15 (c) On or before the 10th day of each month, the director of accounts
16 and reports shall transfer from the state general fund to the veterans benefit
17 lottery game fund interest earnings based on:

18 (1) The average daily balance of moneys in the veterans benefit
19 lottery game fund for the preceding month; and

20 (2) the net earnings rate of the pooled money investment portfolio for
21 the preceding month.

22 New Sec. 3. (a) There is hereby established in the state treasury the
23 national guard benefit lottery game fund which shall be administered by
24 the adjutant general. All expenditures from the national guard benefit
25 lottery game fund shall be made in accordance with appropriation acts
26 upon warrants of the director of accounts and reports issued pursuant to
27 vouchers approved by the adjutant general or the designee of the adjutant
28 general.

29 (b) Moneys credited to the national guard benefit lottery game fund
30 shall not be transferred to the state general fund. Moneys credited to the
31 national guard benefit lottery game fund shall be used only for purposes
32 directly benefiting members of the Kansas army and air national guard and
33 their families to provide for Kansas national guard educational assistance
34 act scholarships pursuant to K.S.A. 74-32,145 et seq., and amendments
35 thereto, and, to the extent that moneys are available, for other purposes
36 directly benefiting members of the Kansas army and air national guard and
37 their families.

38 (c) On or before the 10th day of each month, the director of accounts
39 and reports shall transfer from the state general fund to the national guard
40 benefit lottery game fund interest earnings based on:

41 (1) The average daily balance of moneys in the national guard benefit
42 lottery game fund for the preceding month; and

43 (2) the net earnings rate of the pooled money investment portfolio for

1 the preceding month.

2 Sec. 4. K.S.A. 2012 Supp. 74-8724 is hereby amended to read as
3 follows: 74-8724. (a) Notwithstanding any provision of law to the
4 contrary, the Kansas lottery commission shall establish an instant lottery
5 scratch-off game designated as the veterans benefit game, which shall be
6 conducted by the Kansas lottery. Tickets for the veterans benefit game
7 established by this section shall be offered for sale year-round.

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

13 (c) Notwithstanding the provisions of K.S.A. 79-4801 et seq., and
14 K.S.A. 74-8711, and amendments thereto, all net profits, received from the
15 sale of veterans benefit game lottery tickets, materials and games, as
16 prescribed by rules and regulations adopted pursuant to subsection (b) of
17 this section, shall be deposited in the state treasury and shall be ~~used as~~
18 ~~follows: (1) An amount equal to 40% of such net profits shall be~~
19 ~~appropriated for purposes directly benefitting members of the Kansas army~~
20 ~~and air national guard and their families to provide for Kansas national~~
21 ~~guard educational assistance act scholarships pursuant to K.S.A. 74-32,145~~
22 ~~et seq., and amendments thereto, and, to the extent that moneys are~~
23 ~~available, for other purposes directly benefitting members of the Kansas~~
24 ~~army and air national guard and their families as provided by appropriation~~
25 ~~act;~~

26 ~~(2) an amount equal to 30% of such net profits shall be appropriated~~
27 ~~for operating expenditures and capital improvements, or as otherwise~~
28 ~~provided by appropriation act, for the use and benefit of the Kansas~~
29 ~~veterans' home, the Kansas soldiers' home and the state veterans cemetery~~
30 ~~system; and~~

31 ~~(3) an amount equal to 30% of such net profits from: (A) July 1,~~
32 ~~2008, to June 30, 2010, shall be appropriated for the museum of the~~
33 ~~Kansas national guard to expand the museum facility to include a 35th~~
34 ~~Infantry Division Museum and a museum education center as provided by~~
35 ~~appropriation act; and (B) from and after July 1, 2010, shall be~~
36 ~~appropriated for a veterans enhanced service delivery program transferred~~
37 ~~to and credited to the veterans benefit lottery game fund and the national~~
38 ~~guard benefit lottery game fund pursuant to section 1, and amendments~~
39 ~~thereto.~~

40 (d) The Kansas lottery commission shall change the design or theme
41 of the veterans benefit game regularly so that the game remains
42 competitive with the other instant lottery scratch-off games offered by
43 such commission. The tickets for the instant lottery game authorized by

1 this section shall clearly state that the profits derived from the game shall
2 be used to benefit veterans and veterans issues in this state.

3 Sec. 5. K.S.A. 2012 Supp. 74-8724 is hereby repealed.

4 Sec. 6. This act shall take effect and be in force from and after its
5 publication in the statute book.