

CHAPTER 67

(HB 256)

AN ACT relating to veterans.

WHEREAS, the General Assembly recognizes the ultimate sacrifice made by Kentuckians in Operation Desert Storm, Operation Iraqi Freedom, and Operation Enduring Freedom; and

WHEREAS, no tribute may be sufficient to repay these brave service men and women who gave their lives to defend this great nation; and

WHEREAS, the General Assembly finds it necessary to establish an Iraq/Afghanistan War Memorial in honor and memory of these brave Kentuckians;

NOW, THEREFORE,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ AS FOLLOWS:

- (1) *There is established an Iraq/Afghanistan War Memorial Committee for the purpose of creating an Iraq/Afghanistan War Memorial in the city of Frankfort, Kentucky, or another location within the Commonwealth deemed more appropriate by the committee. Members of the committee shall include:*
 - (a) *The Governor or his or her designee;*
 - (b) *The secretary of the Tourism, Arts and Heritage Cabinet or his or her designee;*
 - (c) *The commissioner of the Kentucky Department of Veterans' Affairs or his or her designee;*
 - (d) *The Adjutant General of the Kentucky Department of Military Affairs or his or her designee; and*
 - (e) *A member recommended by the Joint Executive Council of Veterans Organizations to be appointed by the Governor.*
- (2) *The Iraq/Afghanistan War Memorial Committee shall be charged with the following duties:*
 - (a) *Choosing a design for the memorial;*
 - (b) *Determining a location for the memorial;*
 - (c) *Collecting the names of fallen service men and women to be included on the memorial;*
 - (d) *Requesting proposals for the construction of the memorial;*
 - (e) *Making recommendations on an entity to oversee the installation of the memorial;*
 - (f) *Making recommendations on an entity that will be responsible for maintenance and day-to-day upkeep of the memorial; and*
 - (g) *Seeking appropriations, gifts, grants, federal funds, and any other funds both public and private, to assist with the costs associated with the establishment of the memorial, which shall be deposited in the Iraq/Afghanistan War Memorial fund established in Section 2 of this Act.*
- (3) *The Iraq/Afghanistan War Memorial Committee shall complete the requirements of subsection (2)(a) to (f) of this section no later than October 1, 2012. The committee shall produce a written report to be provided to the Governor, the secretary of the Tourism, Arts and Heritage Cabinet, the President of the Senate, and the Speaker of the House of Representatives. The report shall include at a minimum the following information:*
 - (a) *The results of the Iraq/Afghanistan War Memorial Committee's work with regard to the requirements of subsection (2)(a) to (f) of this section;*
 - (b) *An update on the costs required to complete the Iraq/Afghanistan War Memorial; and*
 - (c) *The amount of money raised for the Iraq/Afghanistan War Memorial at the date the report is due.*
- (4) *The Tourism, Arts and Heritage Cabinet shall have the following responsibilities related to the Iraq/Afghanistan War Memorial and the committee established to create the memorial:*

- (a) *Provision of staff and administrative resources, not including reimbursement for any expense related to the committee's work, for the committee; and*
- (b) *Administration of the Iraq/Afghanistan War Memorial fund established in Section 2 of this Act.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ AS FOLLOWS:

The Iraq/Afghanistan War Memorial fund is hereby created as a separate trust fund in the State Treasury. The Iraq/Afghanistan War Memorial fund shall consist of amounts received from appropriations and any other proceeds from gifts, grants, federal funds, or any other funds, both public and private, made available for the purposes of Section 1 of this Act and this section.

- (1) *The Iraq/Afghanistan War Memorial fund shall be administered by the Tourism, Arts and Heritage Cabinet.*
- (2) *Amounts deposited in the Iraq/Afghanistan War Memorial fund shall be used only for the purpose of the establishment of the Iraq/Afghanistan War Memorial as provided in Section 1 of this Act.*
- (3) *Notwithstanding KRS 45.229, Iraq/Afghanistan War Memorial fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward into the next fiscal year.*
- (4) *Any interest earnings of the Iraq/Afghanistan War Memorial fund shall become a part of the Iraq/Afghanistan War Memorial fund and shall not lapse.*
- (5) *Moneys deposited in the fund are hereby appropriated for the purposes set forth in this section and shall not be appropriated or transferred by the General Assembly for any other purposes.*

Signed by Governor April 11, 2012.