

2012 Kansas Statutes

74-5210. Creative arts industries commission; transfer of powers, functions and duties from film services commission and arts commission. (a) The Kansas arts commission created by K.S.A. 74-5202, and amendments thereto, and the Kansas film services commission created by K.S.A. 74-9201, and amendments thereto, are hereby abolished.

(b) Except as otherwise provided by this act, all of the powers, duties and functions of the existing Kansas arts commission and the Kansas film services commission are hereby transferred to, conferred and imposed upon the creative arts industries commission within the department of commerce, established by this act.

(c) Except as otherwise provided by this act, the creative arts industries commission within the department of commerce established by this act shall be the successor in every way to the powers, duties and functions of the Kansas arts commission and the Kansas film services commission in which the same were vested prior to the effective date of this act. Every act performed in the exercise of such powers, duties and functions by or under the authority of the creative arts industries commission within the department of commerce established by this act shall be deemed to have the same force and effect as if performed by the Kansas arts commission and the Kansas film services commission in which such powers, duties and functions were vested prior to the effective date of this act.

(d) Except as otherwise provided by this act, whenever the Kansas arts commission or the Kansas film services commission, or words of like effect, are referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the creative arts industries commission within the department of commerce established by this act.

(e) All rules and regulations of the Kansas arts commission and the Kansas film services commission in existence on the effective date of this act shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the creative arts industries commission within the department of commerce established by this act until revised, amended, revoked or nullified pursuant to law.

(f) All orders and directives of the Kansas arts commission and the Kansas film services commission in existence on the effective date of this act shall continue to be effective and shall be deemed to be orders and directives of the creative arts industries commission within the department of commerce established by this act, until revised, amended, revoked or nullified pursuant to law.

(g) On the effective date of this act, the creative arts industries commission within the department of commerce shall succeed to whatever right, title or interest the Kansas arts commission and the Kansas film services commission have acquired in any real property in this state, and the creative arts industries commission within the department of commerce shall hold the same for and in the name of the state of Kansas. On and after the effective date of this act, whenever any statute, contract, deed or other document concerns the power or authority of the Kansas arts commission or the Kansas film services commission to acquire, hold or dispose of real property or any interest therein, the creative arts industries commission within the department of commerce shall succeed to such power or authority.

(h) The creative arts industries commission within the department of commerce established by this act shall be a continuation of the Kansas arts commission and the Kansas film services commission.

(i) On the effective date of this act, all officers and employees who, immediately prior to such date, were engaged in the performance of powers, duties or functions of the Kansas arts commission and the Kansas film services commission which are transferred by this act, or who become a part of the creative arts industries commission within the department of commerce, and who, in the opinion of the director of the creative arts industries commission within the department of commerce, are necessary to perform the powers, duties and functions of the creative arts industries commission within the department of commerce, shall be transferred to, and shall become officers and employees of the creative arts industries commission within the department of commerce.

(j) Officers and employees of the Kansas arts commission and the Kansas film services commission transferred by this act shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such officer and employee so transferred shall be deemed to have been continuous. All transfers, layoffs or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rule and regulation adopted thereunder. Nothing in this act shall affect the classified status of any transferred person employed by the Kansas arts commission and the Kansas film services commission prior to the date of transfer.

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

History: L. 2012, ch. 111, § 5; July 1.