

## SENATE BILL No. 549

By Committee on Ways and Means

3-2

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9 AN ACT concerning salaries and compensation for state officers and em-  
10 ployees; making and concerning appropriations for the fiscal year end-  
11 ing June 30, 2005; amending K.S.A. 40-102, 46-137a and 46-137b and  
12 K.S.A. 2003 Supp. 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and  
13 75-3111a and repealing the existing sections.

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

16 New Section 1. (a) The governor is hereby authorized to modify the  
17 pay plan for fiscal year 2005 in accordance with this subsection and to  
18 adopt such pay plan as so modified. The existing pay plan for fiscal year  
19 2005 shall be modified to provide for an increase of 3% in the pay rates  
20 of such pay plan. The pay plan adopted by the governor under this sub-  
21 section shall be the pay plan for the classified service under the Kansas  
22 civil service act and shall be effective on the first day of the first biweekly  
23 payroll period which is chargeable to the fiscal year ending June 30, 2005.  
24 Such pay plan shall be subject to modification and approval as provided  
25 under K.S.A. 75-2938 and amendments thereto and to any enactment of  
26 the legislature applicable thereto.

27 (b) (1) The governor is hereby authorized to modify or authorize the  
28 modification of the salaries of state officers and employees who are in the  
29 unclassified service under the Kansas civil service act and whose salaries  
30 are subject to approval by the governor under K.S.A. 75-2935b or 75-  
31 2935c and amendments thereto to provide for base salary increases, to  
32 be effective on the first day of the first payroll period which is chargeable  
33 to the fiscal year ending on June 30, 2005, and to be distributed from a  
34 salary increase pool, the average of such increases shall not exceed 3% of  
35 the base salaries of such officers and employees.

36 (2) Each elected state official of the executive branch of state govern-  
37 ment, including the state board of education, and the board of directors  
38 of the Kansas technology enterprise corporation, Kansas, Inc., the state  
39 board of regents and the board of trustees of the Kansas public employees  
40 retirement system, in each such official, corporation or board's discretion,  
41 are hereby authorized and directed to modify or to authorize the modi-  
42 fication of the salaries of the state officers and employees of such official,  
43 corporation or board, who are in the unclassified service under the Kansas

1 civil service act and whose salaries are not subject to approval by the  
2 governor under K.S.A. 75-2935b and amendments thereto, to provide for  
3 base salary increases to be effective on the first day of the first payroll  
4 period which is chargeable to the fiscal year ending June 30, 2005, and  
5 to be distributed from a salary increase pool, the average of such increases  
6 shall not exceed 3% of the base salaries of such officers and employees  
7 of such official, corporation or board. The provisions of this subsection  
8 (b)(2) shall not authorize or provide any salary increase for the governor,  
9 lieutenant governor, secretary of state, state treasurer, commissioner of  
10 insurance, or attorney general, or for any member of any state board,  
11 commission, council or committee receiving per diem compensation as  
12 provided by statute.

13 New Sec. 2. (a) There is hereby appropriated for the state finance  
14 council from the state general fund for the fiscal year ending June 30,  
15 2005, the sum of \$21,872,906 to be used for the purpose of paying the  
16 proportionate share of the cost to the state general fund of: (1) The salary  
17 increases which are provided for by modification of the pay plan for state  
18 officers and employees in the classified service under the Kansas civil  
19 service act to provide for an increase of 3% in the pay rates of such pay  
20 plan for biweekly pay periods which are chargeable to the fiscal year  
21 ending June 30, 2005; and (2) the salary increases for state officers and  
22 employees in the unclassified service under the Kansas civil service act  
23 which are provided for in subsection (b)(1) and subsection (b)(2) of sec-  
24 tion 1.

25 (b) To pay the proportionate share of the cost to the state general fund  
26 of each state agency for the salary increases specified in subsection (a),  
27 including associated employer contributions,  
28 upon recommendation of the director of the budget, the state finance  
29 council, acting on this matter which is hereby characterized as a matter  
30 of legislative delegation and subject to the guidelines prescribed in sub-  
31 section (c) of K.S.A. 75-3711c and amendments thereto, except paragraph  
32 (3) of such subsection (c), is hereby authorized to approve the transfer of  
33 moneys from the appropriation under subsection (a) by the director of  
34 accounts and reports, who is hereby authorized and directed to make  
35 such transfers in accordance with such approval, to the proper accounts  
36 created by state general fund appropriations for the fiscal year ending  
37 June 30, 2005.

38 (c) Upon recommendation of the director of the budget, the state fi-  
39 nance council, acting on this matter which is hereby characterized as a  
40 matter of legislative delegation and subject to the guidelines prescribed  
41 in subsection (c) of K.S.A. 75-3711c and amendments thereto, except  
42 paragraph (3) of such subsection (c), is hereby authorized to approve  
43 increases in expenditure limitations on special revenue funds and ac-

1 counts established for the fiscal year ending June 30, 2005, by the director  
 2 of accounts and reports, who is hereby authorized and directed to increase  
 3 expenditure limitations on such special revenue funds and accounts in  
 4 accordance with such approval, for the purpose of paying from such funds  
 5 or accounts the proportionate share of the cost to such funds or accounts,  
 6 including associated employer contributions, of the salary increases spec-  
 7 ified in subsection (a) for the fiscal year ending June 30, 2005.

8 (d) Each state agency of the executive branch of state government shall  
 9 prepare and submit a budget estimate for such salary increases specified  
 10 in subsection (a), and all amendments and revisions of such estimates, to  
 11 the director of the budget on forms prescribed by the director of the  
 12 budget. At the same time as each state agency submits such estimate, and  
 13 all amendments and revisions thereof, each state agency shall submit a  
 14 copy of such estimate, and all amendments and revisions thereof, directly  
 15 to the legislative research department.

16 New Sec. 3.

17 LEGISLATIVE COORDINATING COUNCIL

18 (a) There is appropriated for the above agency from the state general  
 19 fund for the fiscal year ending June 30, 2005, the following:

20 Legislative coordinating council — operations .....	\$17,696
21 Legislative research department — operations.....	\$69,946
22 Office of revisor of statutes — operations .....	\$52,498

23 New Sec. 4.

24 LEGISLATURE

25 (a) There is appropriated for the above agency from the state general  
 26 fund for the fiscal year ending June 30, 2005, the following:

27 Operations (including official hospitality) .....	\$183,418
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28 New Sec. 5.

29 DIVISION OF POST AUDIT

30 (a) There is appropriated for the above agency from the state general  
 31 fund for the fiscal year ending June 30, 2005, the following:

32 Operations (including legislative post audit committee)....	\$41,073
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33 New Sec. 6.

34 JUDICIAL BRANCH

35 (a) There is appropriated for the above agency from the state general  
 36 fund for the fiscal year ending June 30, 2005, the following:

37 Judiciary operations .....	\$2,512,885
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38 Sec. 7. On June 6, 2004, K.S.A. 40-102 is hereby amended to read as  
 39 follows: 40-102. There is hereby established a department to be known  
 40 as the insurance department, which shall have a chief officer entitled the  
 41 commissioner of insurance who shall receive, except as otherwise pro-  
 42 vided in K.S.A. 75-3111a and amendments thereto, a salary at a biweekly  
 43 pay rate of ~~\$2,648.45~~ \$3,026.16, and such officer shall be charged with

1 the administration of all laws relating to insurance, insurance companies  
2 and fraternal benefit societies doing business in this state, and all other  
3 duties which are or may be imposed upon such officer by law.

4 Sec. 8. On June 6, 2004, K.S.A. 46-137a is hereby amended to read as  
5 follows: 46-137a. In addition to the compensation provided for by K.S.A.  
6 46-137b, 46-137e and 75-3212 and amendments thereto, each member  
7 of the legislature shall receive the following amounts:

8 (a) The sum of ~~\$72.06~~ *\$81.11* per calendar day for service at any regular  
9 or special session, except as otherwise provided in subsection (e);

10 (b) the sum of \$80 per calendar day for subsistence allowance for any  
11 regular or special session of the legislature, except that if the amounts  
12 allowable for the capital city of Kansas under applicable federal law and  
13 regulations to employees of the executive branch of the federal govern-  
14 ment for per diem expenses, while away from home but serving in the  
15 United States, are amounts which total greater than \$80, then each mem-  
16 ber of the legislature shall receive such greater total amount per calendar  
17 day for subsistence allowance for any regular or special session of the  
18 legislature;

19 (c) an allowance of \$270 for the two-week period which coincides with  
20 the first biweekly payroll period commencing in April and for each of the  
21 19 ensuing two-week periods thereafter, to defray expenses incurred be-  
22 tween sessions of the legislature for postage, telephone, office and other  
23 incidental expenses;

24 (d) an allowance for mileage in an amount equal to the rate per mile  
25 prescribed under the provisions of K.S.A. 75-3203a and amendments  
26 thereto multiplied by the number of miles traveled by the usual route in  
27 going to and returning from the member's place of residence for any  
28 regular or special session of the legislature. Such mileage allowances shall  
29 be paid for not to exceed the equivalent of one trip for each full week  
30 occurring between convening and adjournment sine die in any regular or  
31 special session. The mileage allowance provided under the provisions of  
32 this subsection shall not be subject to the restrictions relating to the use  
33 of vehicles prescribed by K.S.A. 75-3203 and 75-3203a and amendments  
34 thereto but shall only be allowed for trips actually made. Compensation  
35 and subsistence allowance shall not be allowed under the provisions of  
36 subsections (a) and (b) of this section during any period in which the  
37 legislature is adjourned for more than two days, Sundays excepted; and

38 (e) whenever the rates of compensation of the pay plan for persons in  
39 the classified service under the Kansas civil service act are increased for  
40 payroll periods chargeable to fiscal years commencing after June 30, ~~1999~~  
41 2005, the rate of compensation per calendar day for members of the  
42 legislature for service at any regular or special session of the legislature  
43 shall be increased on the effective date of any such pay plan increase by

1 an amount computed by multiplying the average of the percentage in-  
2 creases in all steps of such pay plan by the rate of compensation per  
3 calendar day which is authorized by this section for service at any regular  
4 or special session of the legislature for the day upon which such increase  
5 is computed.

6 Sec. 9. On June 6, 2004, K.S.A. 46-137b is hereby amended to read as  
7 follows: 46-137b. (a) In addition to the compensation provided for by  
8 K.S.A. 46-137a and 75-3212 and amendments thereto, and any other stat-  
9 ute, and except as otherwise provided by subsection (b):

10 (1) The president of the senate and the speaker of the house of rep-  
11 resentatives shall each receive an allowance at a biweekly pay rate of  
12 ~~\$438.82~~ \$493.99 during their terms of office as speaker and president,  
13 which compensation shall be for additional services performed in con-  
14 nection with discharging the duties assigned to the respective positions;

15 (2) the speaker pro tem of the house of representatives, the vice pres-  
16 ident of the senate, the assistant majority leaders of the senate and house  
17 of representatives and the assistant minority leaders of the senate and  
18 house of representatives shall each receive an allowance at a biweekly pay  
19 rate of ~~\$223.97~~ \$252.13 during their respective terms of office which  
20 compensation shall be for additional services performed in connection  
21 with discharging the duties assigned to the respective positions;

22 (3) the chairperson of the senate committee on ways and means and  
23 the chairperson of the house committee on appropriations shall each re-  
24 ceive an allowance at a biweekly pay rate of ~~\$352.89~~ \$397.26 during their  
25 respective terms of office, which compensation shall be for additional  
26 services performed in connection with discharging the duties assigned to  
27 the respective positions; and

28 (4) the majority and minority leaders of the senate and the house of  
29 representatives shall each receive an allowance at a biweekly pay rate of  
30 ~~\$305.89~~ \$445.66 during their respective terms of office, which compen-  
31 sation shall be for additional services performed in connection with dis-  
32 charging the duties assigned to the respective positions.

33 (b) Whenever the rates of compensation of the pay plan for persons in  
34 the classified service under the Kansas civil service act are increased for  
35 payroll periods chargeable to fiscal years commencing after June 30, 1999,  
36 the biweekly pay rate of officers of the legislature specified in subsection  
37 (a) shall be increased on the effective date of any such pay plan increase  
38 by an amount computed by multiplying the average of the percentage  
39 increases in all steps of such pay plan by the biweekly pay rate of such  
40 officers which is being received as provided by law and which is in effect  
41 prior to the effective date of such pay plan increase.

42 Sec. 10. On June 6, 2004, K.S.A. 2003 Supp. 75-3101 is hereby  
43 amended to read as follows: 75-3101. Except as otherwise provided in

1 K.S.A. 75-3111a and amendments thereto, the governor of the state shall  
2 receive for services a salary at a biweekly pay rate of ~~\$3,400.22~~ \$3,895.42.

3 Sec. 11. On June 6, 2004, K.S.A. 2003 Supp. 75-3103 is hereby  
4 amended to read as follows: 75-3103. (a) The lieutenant governor shall  
5 receive, as reimbursement for expenses the following: (1) Biweekly the  
6 sum of \$72.12, and (2) when attending the duties of office or attending  
7 any authorized meeting, in addition to other provisions of this section,  
8 travel expenses and subsistence expenses and allowances in amounts  
9 equal to those provided for by K.S.A. 75-3212 and amendments thereto.

10 In addition to any other compensation provided by law and except as  
11 otherwise provided in K.S.A. 75-3111a and amendments thereto, the lieu-  
12 tenant governor shall also receive for services in the performance of duties  
13 imposed by law compensation at the biweekly pay rate of ~~\$964.29~~  
14 \$1,101.81. While acting as governor, the lieutenant governor shall receive  
15 the same salary as the governor. The lieutenant governor may appoint an  
16 administrative assistant and office and stenographic employees, all of  
17 whom shall be in the unclassified service of the Kansas civil service act.  
18 Such administrative assistant shall receive travel expenses and subsistence  
19 expenses or allowances as provided by K.S.A. 75-3212 and amendments  
20 thereto when traveling as authorized by the lieutenant governor.

21 (b) If the lieutenant governor is appointed by the governor under the  
22 provision of K.S.A. 75-303 and amendments thereto, the lieutenant gov-  
23 ernor shall receive a salary to be fixed by the governor or a salary as  
24 provided for in subsection (a) of this section, whichever is greater.

25 Sec. 12. On June 6, 2004, K.S.A. 2003 Supp. 75-3104 is hereby  
26 amended to read as follows: 75-3104. Except as otherwise provided in  
27 K.S.A. 75-3111a and amendments thereto, the secretary of state shall  
28 receive for services a salary at a biweekly pay rate of ~~\$2,648.45~~ \$3,026.16.

29 Sec. 13. On June 6, 2004, K.S.A. 2003 Supp. 75-3108 is hereby  
30 amended to read as follows: 75-3108. Except as otherwise provided in  
31 K.S.A. 75-3111a and amendments thereto, the state treasurer shall re-  
32 ceive for services a salary at a biweekly pay rate of ~~\$2,648.45~~ \$3,026.16.

33 Sec. 14. On June 6, 2004, K.S.A. 2003 Supp. 75-3110 is hereby  
34 amended to read as follows: 75-3110. Except as otherwise provided in  
35 K.S.A. 75-3111a and amendments thereto, the attorney general shall re-  
36 ceive for services a salary at a biweekly pay rate of ~~\$3,045.64~~ \$3,480.00.

37 Sec. 15. On June 6, 2004, K.S.A. 2003 Supp. 75-3111a is hereby  
38 amended to read as follows: 75-3111a. Whenever the rates of compen-  
39 sation of the pay plan for persons in the classified service under the Kansas  
40 civil service act are increased for payroll periods chargeable to fiscal years  
41 commencing after June 30, ~~1999~~ 2005, the salary of the governor, the  
42 lieutenant governor, the attorney general, the secretary of state, the state  
43 treasurer and the commissioner of insurance shall be increased by an

1 amount computed by multiplying the average of the percentage increases  
2 in all steps of such pay plan by the salary of the elected state officer which  
3 is being received as provided by law and which is in effect prior to the  
4 effective date of such increase in the rates of compensation of the pay  
5 plan for persons in the classified service under the Kansas civil service  
6 act.

7 Sec. 16. On June 6, 2004, K.S.A. 40-102, 46-137a and 46-137b and  
8 K.S.A. 2003 Supp. 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and 75-  
9 3111a are hereby repealed.

10 Sec. 17. This act shall take effect and be in force from and after its  
11 publication in the Kansas register.