

SENATE BILL No. 246

By Senator Betts

2-1

9 AN ACT concerning certain state officials; requiring employment of per-
10 sons fluent in the Spanish language; amending K.S.A. 40-110, 75-413,
11 75-623 and 75-3102 and K.S.A. 2006 Supp. 75-710 and repealing the
12 existing sections.
13

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

15 Section 1. K.S.A. 40-110 is hereby amended to read as follows: 40-
16 110. (a) (1) The commissioner of insurance is hereby authorized to ap-
17 point an assistant commissioner of insurance, actuaries, two special at-
18 torneys who shall have been regularly admitted to practice, an executive
19 secretary, policy examiners, two field representatives, and a secretary to
20 the commissioner.

21 (2) Such appointees shall each receive an annual salary to be deter-
22 mined by the commissioner of insurance, within the limits of available
23 appropriations but in no case shall any such annual salary exceed the salary
24 of the commissioner of insurance as established by law, except that the
25 commissioner of insurance may appoint two actuaries, who are members
26 in good standing of either the American Academy of Actuaries or the
27 Casualty Actuarial Society or the Society of Actuaries, whose annual sal-
28 aries may exceed the annual salary of the commissioner.

29 (b) The commissioner is also authorized to appoint, within the pro-
30 visions of the civil service law, and available appropriations, other em-
31 ployees as necessary to administer the provisions of this act. *Two or more*
32 *of such employees shall be sufficiently fluent in the Spanish language to*
33 *be able to converse with and answer questions from a person whose pri-*
34 *mary language is Spanish.* The field representatives authorized by this
35 section may be empowered to conduct inquiries, investigations or to re-
36 ceive complaints. Such field representatives shall not be empowered to
37 make, or direct to be made, an examination of the affairs and financial
38 condition of any insurance company in the process of organization, or
39 applying for admission or doing business in this state.

40 (c) The appointees authorized by this section shall take the proper
41 official oath and shall be in no way interested, except as policyholders, in
42 any insurance company. In the absence of the commissioner of insurance
43 the assistant commissioner shall perform the duties of the commissioner

1 of insurance, but shall in all cases execute papers in the name of the
2 commissioner of insurance, as assistant. The commissioner of insurance
3 shall be responsible for all acts of an official nature done and performed
4 by the commissioner's assistant or any person employed in such office.
5 All the appointees authorized by this section shall hold their office at the
6 will and pleasure of the commissioner of insurance.

7 Sec. 2. K.S.A. 75-413 is hereby amended to read as follows: 75-413.
8 The secretary of state may appoint such other assistants and clerks as may
9 be authorized by law; but the secretary of state shall be responsible for
10 the proper discharge of the duties of all assistants and clerks, and they
11 shall hold their offices at the will and pleasure of the secretary and shall
12 do and perform such general duties as the secretary may require. *Two or*
13 *more of such employees shall be sufficiently fluent in the Spanish language*
14 *to be able to converse with and answer questions from a person whose*
15 *primary language is Spanish.*

16 Sec. 3. K.S.A. 75-623 is hereby amended to read as follows: 75-623.
17 The treasurer shall appoint such other assistants, clerks, bookkeepers,
18 accountants and stenographers as may be authorized by law, each of
19 which persons shall take the oath of office required of public officers.
20 Such persons shall hold their offices at the will and pleasure of the state
21 treasurer. *Two or more of such employees shall be sufficiently fluent in*
22 *the Spanish language to be able to converse with and answer questions*
23 *from a person whose primary language is Spanish.*

24 Sec. 4. K.S.A. 2006 Supp. 75-710 is hereby amended to read as fol-
25 lows: 75-710. The attorney general shall appoint such assistants, clerks,
26 and stenographers as shall be authorized by law, and who shall hold their
27 office at the will and pleasure of the attorney general. All fees and allow-
28 ances earned by ~~said~~ *such* assistants or any of them, or allowed to them
29 by any statute or order of court in any civil or criminal case whatsoever,
30 shall be turned into the general revenue fund of the state treasury, and
31 the vouchers for their monthly salaries shall not be honored by the di-
32 rector of accounts and reports until a verified account of the fees collected
33 by them, or either of them, during the preceding month, has been filed
34 in the director of accounts and reports' office. Assistants appointed by the
35 attorney general shall perform the duties and exercise the powers as pre-
36 scribed by law and shall perform other duties as prescribed by the attor-
37 ney general. Assistants shall act for and exercise the power of the attorney
38 general to the extent the attorney general delegates them the authority
39 to do so. *Two or more of such employees shall be sufficiently fluent in the*
40 *Spanish language to be able to converse with and answer questions from*
41 *a person whose primary language is Spanish.*

42 Sec. 5. K.S.A. 75-3102 is hereby amended to read as follows: 75-
43 3102. The governor is authorized to appoint a private secretary, an assis-

1 tant private secretary, executive clerk and pardon attorney, who shall each
2 receive an annual salary to be fixed by the governor, within available
3 appropriations; and may also appoint and fix the compensation of such
4 other assistants, secretaries, stenographers, clerks and employees as ~~he~~
5 ~~or she may deem~~ *deemed* necessary and as are within available appropri-
6 ations. *Two or more of such employees shall be sufficiently fluent in the*
7 *Spanish language to be able to converse with and answer questions from*
8 *a person whose primary language is Spanish.*
9 Sec. 6. K.S.A. 40-110, 75-413, 75-623 and 75-3102 and K.S.A. 2006
10 Supp. 75-710 are hereby repealed.
11 Sec. 7. This act shall take effect and be in force from and after its
12 publication in the statute book.