

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on March 18, 2008 in Room 526-S of the Capitol.

All members were present except:  
Senator Vratil.

Committee staff present:  
Kathie Sparks, Kansas Legislative Research Department  
Dennis Hodgins, Kansas Legislative Research Department  
Melissa Doebelin, Revisor of Statutes Office  
Theresa Kiernan, Revisor of Statutes Office  
Connie Burns, Committee Assistant

Conferees appearing before the committee:  
Senator Barbara Allen  
Sally Howard, Governor's Chief Counsel  
Joan Wagnon, Secretary of Revenue  
Carmen Alldritt, Department of Motor Vehicles

Others attending:  
See attached list.

**Introduction of Bill:**

Senator Ostemyer requested a bill introduction regarding veterans and a proper military burial.

Senator Ostemyer moved that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

Senator Derek Schmidt requested a bill introduction conceptually helping Wilson County and communities to begin addressing serious industrial contamination and related issues. (Attachment 1)

Senator Lynn moved that this request should be introduced as a committee bill. Senator Barnett seconded the motion. The motion carried.

**SB 659 - State officers and legislators, salaries and compensation increases; establishing a legislative compensation commission and abolishing the existing compensation commission; certain expense allowances and multi-year market adjustments**

Chairman Brungardt opened the hearing on **SB 659**.

Senator Barbara Allen spoke in favor of the bill. (Attachment 2) The bill in New Section 1 would create a Legislative Compensation Commission consisting of seven members who would have the duty to make a study of the per diem compensation of the members of the Kansas Legislature. The commission will submit a report to the LCC and to the Governor and any member of the legislature could decline to accept any or all of the recommended increase in compensation. New Section 2 would increase the salary for statewide officeholders in Kansas, based on the current national average for each office, excluding California. A list was provided of the proposed salaries and a letter from Legislative Research on Elected Officials' Compensation.

Sally Howard, Governor's General Counsel, appeared neutral on the bill with an amendment. (Attachment 3) To support a Legislative Pay Commission to review current salary and consider the Attorney General's (AG) significant pay disparity be resolved. The Administration believes that the AG of Kansas should have a salary that is equal to that of the District Court Judges and the District Attorneys.

Chairman Brungardt closed the hearing on **SB 659**.

CONTINUATION SHEET

MINUTES OF THE Senate Federal and State Affairs Committee at 10:30 a.m. on March 18, 2008 in Room 526-S of the Capitol.

**SB 677 - Prescribing fees for the photo fee fund**

Chairman Brungardt opened the hearing on **SB 677**.

Secretary Joan Wagon, Department of Revenue, and Carmen Alldritt, Department of Motor Vehicles, appeared in favor of the bill. (Attachment 4) The bill would increase the maximum fee the Department of Revenue may charge for a photo fee from \$4 to \$12. The increase would be used for Security Identity Management activities and to pay costs associated with bringing Kansas into compliance with the federal Real ID Act.

Chairman Brungardt closed the hearing on **SB 677**.

**Final Action:**

**Sub HB 2562 - Veterans preference law revision**

A balloon was provided that would cover a spouse, definition of disabled veteran, and the pay grade. (Attachment 5)

Senator Barnett moved to amended the year change on page 4 line 16 to 2011. Senator Reitz seconded the motion. The motion carried.

Senator Barnett moved to adopt the amended balloon. Senator Reitz seconded the motion. The motion carried.

Senator Barnett moved to pass **Senate Sub for HB 2562** out favorably as amended. Senator Reitz seconded the motion. The motion carried.

**SB 675 - Cities; fee authorized for credit card use**

A balloon amendment was provided by staff. (Attachment 6) The second paragraph of the new language on line 18 is deleted.

Senator Reitz moved to adopt the amended balloon. Senator Barnett seconded the motion. The motion carried.

Senator Reitz moved to pass **SB 675** out favorably as amended. Senator Barnett seconded the motion. The motion carried.

The meeting was adjourned at 11:15 am. The next scheduled meeting is March 19, 2008.

**SENATE FEDERAL AND STATE AFFAIRS COMMITTEE**  
**GUEST LIST**

DATE 3-18-08

NAME	REPRESENTING
Ken Stodgell	UFW
Wayne Bollig	KCUA
Roger Perle	KCUA
Mark Tomb	LKM
MIKE Taylor	UNIFIED GOV
David R. Poelbin	KDOR
SEAN MICHAEL	CAPITOL STRATEGIES
TERRY MITCHELL	KDOR
KA MIA	LITTLE GOVT RELATIONS
Charles Em Zunker	The American Legion
Donna Wilson	
Elaine Frisbie	Division of the Budget
Sally Howard	Governor
Jeremy Anderson	Governor
Jane Carter	KOSE
Gavin Young	DOFA
Kim Wind	LKM
Jim Conant	KDOR
CARNEAL ALDEWIT	KDOR
Tim Blewins	KDOR
TOM PALACE	PMCA OF KS
Ed Kumpf	KACP & KPOA

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**Senator Derek Schmidt**  
**Majority Leader**

**Memorandum**

Committee Assignments

Chair: Confirmation Oversight  
Vice Chair: Assessment & Taxation  
Organization Calendar & Rules  
Member: Judiciary  
Agriculture  
Legislative Post Audit

Message Only (800) 432-3924  
Fax: (785) 296-6718  
Email: schmidt@senate.state.ks.us

To: Senator Pete Brungardt, chairman, Committee on Federal & State Affairs  
From: Senator Derek Schmidt   
Date: March 18, 2008  
Re: Request for bill introduction

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Please consider introducing today, conceptually, a bill by the Federal & State Affairs Committee that would help Wilson County and communities therein to begin addressing serious industrial contamination and related issues. Gordon Self is in the process of drafting the actual bill, but key components include:

- Authority for Wilson County to impose and dedicate a county sales tax for these purposes
- Authority to commit a portion of the severance tax generated in Wilson County to these purposes.
- Authority for Wilson County and/or its local jurisdictions to enter into agreements with KDFRA, KDOT and/or other appropriate state agencies for the issuance of bonds to finance these projects

Thank you. If you have any questions, please let me know.

STATE OF KANSAS

COMMITTEE ASSIGNMENTS

CHAIR: ASSESSMENT AND TAXATION  
MEMBER: EDUCATION  
JUDICIARY



TOPEKA

SENATE CHAMBER

BARBARA P. ALLEN  
SENATOR, EIGHTH DISTRICT  
JOHNSON COUNTY  
9851 ASH DRIVE  
OVERLAND PARK, KANSAS 66207  
(913) 648-2704  
STATE CAPITOL, ROOM 122-E  
TOPEKA, KANSAS 66612-1504  
(785) 296-7353

March 18, 2008

Re: SB 659 – Elected Officials Compensation

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify today on SB 659, a bill which would do two things:

New Sec. 1 would create a Legislative Compensation Commission (the Commission) consisting of 7 members who would have the duty to make a study of the per diem compensation of the members of the Kansas Legislature. The Commission will submit a report to the LCC and to the Governor on or before December 1 of each even-numbered year making recommendations concerning per diem compensation. Any recommended increase in the rate of per diem compensation for members of the legislature would automatically take effect unless the Senate and the Kansas House of Representatives rejected such recommended increase by Concurrent Resolution. Any member of the legislature could decline to accept any or all of the recommended increase in compensation.

I hope you will review the memo provided from the Kansas Legislative Research Department (KLRD), dated August 15, 2007, which contains some interesting information concerning legislative salaries in all 50 states. For ex., Attachment C is a chart of State Legislator Compensation that shows in 2005, Kansas ranked 43<sup>rd</sup>, excluding interim pay, leadership pay, and per diem living expenses.

New Sec. 2 would increase the salary for statewide officeholders in Kansas, based on the current national average for each office, excluding California. The proposed increase would raise statewide officeholder annual salaries as follows:

<i>Governor</i>	<i>120,000</i>
<i>Lt. Governor</i>	<i>80,000</i>
<i>Secretary of State</i>	<i>95,000</i>
<i>State Treasurer</i>	<i>95,000</i>
<i>Insurance Commissioner</i>	<i>95,000</i>
<i>Attorney General</i>	<i>110,000</i>

While drafting this legislation, I became aware of a memo on compensation drafted by Norman J. Furse, Revisor Emeritus, stating that the language in the Kansas Constitution "as is determined according to law" was intended to permit the legislature to "create a compensation commission which would establish compensation subject to approval of, or veto by, the Legislature." (see attached memo from Norman J. Furse and Reports of Special Committees to the 1974 Kansas Legislature).

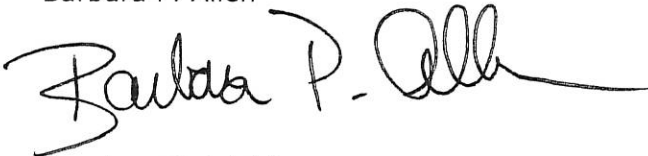
The Kansas Constitution, Article 2, Section 3, **Compensation of members of legislature.** states: "The members of the legislature shall receive such compensation as may be provided by law or such compensation as is determined according to law." However, the Kansas Constitution provides that state constitutional officers receive "compensation as is established by law" for that office.

It is our revisor's interpretation of the Kansas Constitution that other than members of the legislature, no state official is authorized by the Kansas Constitution to receive "compensation as is determined according to law". For this reason SB 659 authorizes the Commission to recommend compensation increases for the legislature only, and establishes salary increases by statute for statewide officeholders.

It is interesting to note our Attorney General, the chief law enforcement officer of the state, currently makes \$96,489. By contrast, our District Court judges make \$117,109. It seems patently obvious the Attorney General of Kansas should make at least as much as our district court judges! (see attached p. 31, August 2007 Kansas Fiscal Facts). Even with our recommendation to increase the salary for statewide officeholders to the current national average for each office, excluding California, the Attorney General's salary would still be approximately \$7,000 less than a Kansas district court judge.

Mr. Chairman, thank you for your time and consideration of this important issue. I'll be happy to stand for questions at the appropriate time.

Barbara P. Allen

A handwritten signature in black ink that reads "Barbara P. Allen". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Senator, District 8

SALARIES OF SELECTED STATE OFFICIALS

FY 2008

**Statewide Elected Officials**

Governor	\$	108,007
Lieutenant Governor		30,549
Attorney General		96,489
Insurance Commissioner		83,905
State Treasurer		83,905
Secretary of State		83,905

**Legislators**

Compensation (per day)	\$	86.50
Daily Subsistence (per day)	109	<del>99.00</del>

**Judiciary**

Kansas Supreme Court:		
Chief Justice	\$	135,912
Associate Justice		132,940

Kansas Court of Appeals:		
Chief Judge	\$	131,463
Associate Judge		128,310

District Court:		
Administrative Judge	\$	118,297
Judge		117,109
Magistrate		60,240

# KANSAS LEGISLATIVE RESEARCH DEPARTMENT

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August 15, 2007

**To:** Legislative Budget Committee  
**From:** Alan D. Conroy, Director  
**Re:** Elected Officials' Compensation

The Legislative Coordinating Council requested the Legislative Budget Committee study the compensation of current elected officials, including legislators and statewide officers, and to determine whether the current levels of compensation should be adjusted.

The salaries of all statewide elected officials and legislators in Kansas are established by statute. Also by statute, increases in these salaries are tied to salary increases for classified state employees. The increases in salary are generally reflected in the annual appropriations bill.

## Statewide Elected Officials

The following discussion reflects the salaries of Kansas statewide elected officials. For each position, the FY 2008 approved salary is reflected, For ease of comparison with other states, however, salaries as of February 2007 have been compared. It should also be noted that, with the exception of the Governor, the method of selection and duties of the positions tend to vary from state to state. The following information is summarized in Attachment A.

**Governor.** The Governor's FY 2008 salary is set at \$108,007. As of February 2007, the Governor's salary was \$105,889. The 50 state average gubernatorial salary was \$124,398. This amount is \$18,509 or 17.5 percent above the Kansas Governor's salary. It should be noted that many studies exclude the California Governor's salary (\$206,500) from comparisons because it is so much larger than any other state. Excluding that salary, the average would drop to \$120,268, which is \$14,379, or 13.6 percent, above the Kansas Governor's salary.

**Lieutenant Governor.** The Lieutenant Governor's salary for FY 2008 totals \$30,549. In February 2007, the salary was \$29,950. It is somewhat problematic to compare Lieutenant Governor salaries among states because the duties of the position vary widely from state to state. Seven states have no Lieutenant Governor position. In three of those states (Arizona, Oregon, and Wyoming), the traditional duties of the Lieutenant Governor are the responsibility of the Secretary of State. In the other four states (Maine, New Hampshire, New Jersey, and West Virginia), there is no comparable position. The average salary of those states with a comparable position is \$87,542. This amount is \$57,992 or 192.3 percent, above the Kansas salary. With California excluded, the average is \$83,940, which is \$53,990, or 180.3 percent, above Kansas.

**Secretary of State.** The FY 2008 salary for the Secretary of State is \$83,905. The February 2007 comparison salary was \$82,260. In three states (Alaska, Hawaii, and Utah), comparable duties



are performed by the Lieutenant Governor. The average salary of the other 47 states is \$98,813, which is \$16,553, or 20.1 percent, higher than the Kansas salary. Excluding California, the average is \$95,518, which is \$13,258, or 16.1 percent above Kansas.

**Attorney General.** The FY 2008 salary for the Attorney General is set at \$96,489, while the February 2007 salary was \$94,597. The 50 state average salary for Attorneys General was \$113,625, a total of \$19,028, or 20.1 percent, above the Kansas Attorney General's salary. If California is excluded, the average drops to \$110,115, which is \$15,518, or 16.4 percent, higher than Kansas.

**State Treasurer.** The FY 2008 salary for the State Treasurer is \$83,905, and the February 2007 comparison salary is \$82,260. The national average salary for comparable positions totals \$101,011, which is \$18,751, or 22.8 percent, above the Kansas salary. If California is excluded, the average is \$97,707, which is \$15,447, or 18.8 percent, higher than the Kansas salary.

**Insurance Commissioner.** The salary for the Insurance Commissioner in FY 2008 totals \$83,905. The February 2007 salary was \$82,260. In one state, the State Treasurer carries out the duties of the Insurance Commissioner. In the other 49 states, the average salary is \$105,954, which is \$23,694, or 28.8 percent higher than Kansas. Excluding California, the average drops to \$102,582, which is \$20,322, or 24.7 percent higher than the Kansas Insurance Commissioner's salary.

## Legislative Compensation

Comparing legislative compensation rates with other states is more problematic than statewide elected officials. The compensation methods differ widely, as do the types of legislature and type and length of sessions in each state. A 2007 study on legislative compensation by the Council of State Governments (CSG), however, attempted such a comparison.

**Types of Legislatures.** The first part of the CSG study identified three different types of legislative bodies. Nine states were identified as having professional legislatures, defined as a legislature which has no constitutional or statutory limit on the length of sessions, and for which legislators normally spend the majority of their time on legislative business without holding outside employment. Kansas is one of 18 states identified as having citizen legislatures in which sessions are limited to a portion of the year and most legislators hold employment outside of the legislature. The remaining 23 states are identified as hybrid legislatures, possessing some characteristics of each of the other two types.

**Sessions.** Currently, only six states have biennial sessions. The remaining 44 states have annual sessions, although the length of those sessions varies widely, from an average of two months to year around.

**Types of Compensation.** Of the 50 states, 42 paid legislators some form of annual salaries in FY 2007. These salaries varied widely from \$100 for the entire session in New Hampshire to slightly over \$113,000 per year in California. The 8 remaining states, Alabama, Kansas, Kentucky, Montana, Nevada, North Dakota, Utah, and Wyoming, pay some form of per diem compensation ranging from \$10 per day in Alabama to slightly over \$180 per day in Kentucky. The Council of State Governments 2007 study used 2005 per diem compensation information to equate per diem amounts to annual salaries based on the appropriate number of session days for each Legislature. The annualized (session only) salaries for those states paying per diem compensation ranged from

\$1,050 in Alabama to slightly over \$7,600 in Kentucky. The annual compensation for Kansas was estimated at \$6,651. It is important to note that these amounts do not include any additional pay states may provide for interim activities, additional pay for leadership positions or per diem living expenses. Regular session pay provided in each state is reflected in Attachment B.

When compared with all other states, on the basis of 2005 regular session compensation only, Kansas ranked 43<sup>rd</sup> out of the 50 states. States surrounding Kansas ranked higher, with Oklahoma ranked 12<sup>th</sup> (with an annual salary of \$38,400), Missouri ranked 15<sup>th</sup> (\$31,351), Colorado ranked 17<sup>th</sup> (\$30,000) and Nebraska ranked 34<sup>th</sup> (\$12,000). Attachment C lists the amount of 2005 regular session compensation for each state.

**Other Compensation.** Although the CSG study did not factor in other items of legislative compensation, it noted several other sources. Only six states do not provide any form of per diem living expenses to legislators. The per diem rates in the other 44 states differ widely. Some states pay a lump sum per diem amount per day or month, while others require vouchers for food, lodging, mileage or some combination of the three. Attachment B also reflects per diem living expense payments provided by each state.

The study noted that while 41 states provide additional compensation to legislative leaders, there is no consistent pattern to the additional payments. The study noted that in 2005, the presiding officers in Alabama received an additional \$2.00 per day and \$1,500 per month, while in California and New York, the amounts were \$14,850 and \$41,500, respectively. In Kansas, FY 2008 additional leadership pay ranges from just under \$7,000 per year to just under \$13,700, depending on the leadership position.

The study indicated that in 2005, retirement benefits with varying contribution rates and benefit formulas were available to legislators in 43 states.

**Trends Analysis.** The majority of CSG's analysis of legislator compensation was devoted to an inflation-adjusted trends analysis over the last 30 years. The study compared salaries in 1975, 1985, 1995, and 2005, adjusting the pre-2005 amounts for inflation. On average, the study found that compensation actually decreased by almost 7.0 percent on a national level over the 30-year period. From state to state, however, the changes varied widely, from an increase of over 862.0 percent in Rhode Island to a decrease of nearly 73.0 percent in Alabama, New Hampshire, and Texas.

For Kansas, the 1975 regular session compensation (\$3,255 in real dollars) equated to slightly over \$12,000 in inflation adjusted dollars. On that basis, the study indicated that legislative salaries in Kansas declined by just over \$5,400, or 44.8 percent, from 1975 to 2005. Attachment D reflects the 30 year inflation adjusted statistics for each state. Attachment E reflects a comparison of Kansas legislative compensation in both real and inflation adjusted dollars from 1975 through 2005.

Over the same time period, inflation adjusted per capita income in Kansas increased from just under \$23,000 in 1975 to slightly over \$32,800 in 2005, an increase of \$9,685, or 43.0 percent. Attachment F reflects a comparison in the inflation adjusted percent changes in per capita income compared to legislative regular session pay from 1975 to 2005.

**Attachment A**  
**Salaries of Kansas Statewide Elected Officials Compared to Comparable Positions in Other States**  
**As of February 2007**

	Governor	Lieutenant Governor	Secretary of State	Attorney General	State Treasurer	Insurance Commissioner
Alabama	\$ 112,895	\$ 48,384	\$ 79,580	\$ 155,828	\$ 79,580	\$ 84,962
Alaska	125,000	100,000	Lt. Gov.	122,640	102,480	99,036
Arizona	95,000	Sec. of State	70,000	90,000	70,000	115,650
Arkansas	80,848	39,075	50,529	67,673	50,529	108,963
California	206,500	154,875	154,875	175,525	165,200	165,200
Colorado	90,000	68,500	68,500	80,000	68,500	105,000
Connecticut	150,000	110,000	110,000	110,000	110,000	124,836
Delaware	132,500	75,500	123,100	140,200	109,300	104,600
Florida	132,932	127,399	120,000	131,604	131,604	Treasurer
Georgia	135,281	88,941	120,036	133,778	126,500	116,888
Hawaii	112,000	100,000	Lt. Gov.	109,242	104,040	90,931
Idaho	105,560	27,820	85,800	95,160	85,800	90,002
Illinois	155,600	119,000	137,300	137,300	119,000	124,800
Indiana	95,000	76,000	66,000	79,400	66,000	90,129
Iowa	130,000	103,212	103,212	123,669	103,212	98,532
Kansas	105,889	29,950	82,260	94,597	82,260	82,260
Kentucky	137,506	101,596	101,596	101,596	101,596	95,000
Louisiana	95,000	85,008	85,000	85,000	85,000	85,000
Maine	70,000	N/A	71,302	90,438	71,032	94,661
Maryland	150,000	141,667	106,013	125,000	125,000	103,033
Massachusetts	140,535	124,920	124,920	127,523	120,000	122,135
Michigan	177,000	123,900	124,900	124,900	174,204	112,199
Minnesota	120,303	78,197	90,227	114,288	108,388	91,183
Mississippi	122,160	60,000	90,000	108,960	90,000	90,000
Missouri	120,087	77,184	96,455	104,332	96,455	100,988
Montana	96,462	74,173	76,539	85,762	95,264	79,642
Nebraska	105,000	75,000	85,000	95,000	85,000	92,250
Nevada	141,000	60,000	97,000	133,000	97,000	110,323
New Hampshire	108,990	N/A	94,584	105,396	94,584	94,584
New Jersey	175,000	N/A	141,000	141,000	141,000	141,000
New Mexico	110,000	85,000	85,000	95,000	85,000	91,520
New York	179,000	151,500	120,800	151,500	124,811	127,000
North Carolina	130,629	115,289	115,289	115,289	115,289	115,289
North Dakota	92,483	71,797	73,568	79,984	69,477	73,568
Ohio	144,830	142,500	106,990	106,990	106,990	128,564
Oklahoma	140,000	109,250	94,500	126,500	94,839	121,250
Oregon	93,600	Sec. of State	72,000	77,200	72,000	116,808
Pennsylvania	164,396	138,091	118,366	136,778	136,778	118,366
Rhode Island	117,817	99,214	99,214	105,416	99,214	86,359
South Carolina	106,078	46,545	92,007	92,007	92,007	137,136
South Dakota	105,544	16,343	73,865	92,307	73,865	78,250
Tennessee	85,000	54,372	143,292	150,000	143,292	100,944
Texas	115,345	115,345	117,516	125,000	125,000	163,800
Utah	104,100	100,000	Lt. Gov.	98,895	81,000	90,598
Vermont	143,957	61,110	91,291	109,283	91,291	97,000
Virginia	175,000	36,321	146,916	150,000	143,292	132,192
Washington	150,995	78,930	105,811	137,268	105,811	105,811
West Virginia	95,000	N/A	75,000	85,000	75,000	92,500
Wisconsin	137,092	72,394	65,079	133,033	65,079	112,000
Wyoming	105,000	Sec. of State	92,000	125,000	92,000	89,000
<i>Average</i>	\$ 124,398	\$ 87,542	\$ 98,813	\$ 113,625	\$ 101,011	\$ 105,954
Difference from Kansas	\$ 18,509	\$ 57,592	\$ 16,553	\$ 19,028	\$ 18,751	\$ 23,694
<i>Average excluding California</i>	\$ 120,268	\$ 83,940	\$ 95,518	\$ 110,115	\$ 97,707	\$ 102,582
Difference from Kansas	\$ 14,379	\$ 53,990	\$ 13,258	\$ 15,518	\$ 15,447	\$ 20,322

Source: *Book of the States, Council of State Governments, 2007*

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**Attachment B  
2007 Legislator Compensation\***

	Regular Session Salaries		Per Diem Living Expenses
	Per Diem	Annual	
Alabama	\$ 10.00	\$ -	\$2,280/month plus \$50/day for three days during each week that the legislature actually meets during any session.
Alaska	-	24,012	\$163 or \$218 /day (depending on the time of year) tied to federal rate. Legislators who reside in the Capitol area receive 75% of the federal rate.
Arizona	-	24,000	\$35/day for the first 120 days of regular session and special session. \$10/day thereafter. Members residing outside Maricopa County receive an additional \$25/day for the first 120 days of regular session and special session. An additional \$10/day thereafter.
Arkansas	-	14,765	\$130/day plus mileage tied to federal rate.
California	-	113,098	\$162/day for each day they are in session.
Colorado	-	30,000	\$45/day for members living in the Denver metro area. \$99/day for members living outside Denver.
Connecticut	-	28,000	None
Delaware	-	42,000	None
Florida	-	30,996	\$126/day tied to federal rate. Based on the number of days in session.
Georgia	-	17,342	\$173/day.
Hawaii	-	35,900	\$120/day for members living outside Oahu. \$10/day for members living on Oahu.
Idaho	-	16,116	\$122/day for members establishing second residence in Boise. \$49/day if no second residence is established and up to \$25/day for travel.
Illinois	-	57,619	\$125/per session day.
Indiana	-	11,600	\$137/day tied to federal rate.
Iowa	-	25,000	\$118/day. \$88.50/day for Polk County legislators. State mileage rates apply.
Kansas	<del>86.50</del> 84.80	-	<del>\$99/day</del> tied to federal rate. 109
Kentucky	180.54	-	\$108.90/day tied to federal rate (110% Federal per diem rate).
Louisiana	-	16,800	\$138/day tied to federal rate.
Maine	-	12,713	\$38/day housing, or mileage and tolls in lieu of housing (at rate of \$0.36/mile up to \$38/day) plus \$32/day for meals.
Maryland	-	43,500	Lodging \$116/day. Meals \$41/day maximum.
Massachusetts	-	58,237	From \$10/day-\$100/day, depending on distance from State House set by the legislature.
Michigan	-	79,650	\$12,000 yearly expense allowance for session and interim.
Minnesota	-	31,141	Senators receive \$96/day and Representatives receive \$77/legislative day.
Mississippi	-	10,000	\$91/day tied to federal rate.
Missouri	-	31,351	\$79.20/day tied to federal rate.
Montana	82.67	-	\$98.75/day.
Nebraska	-	12,000	\$99/day outside 50-mile radius from Capitol. \$39/day if member resides within 50 miles of Capitol tied to federal rate.
Nevada	137.90	-	Federal rate for Capitol area. Legislators who live more than 50 miles from the capitol, if require lodging, will be paid HUD single-room rate for Carson City area for each month of session.
New Hampshire	-	100	None
New Jersey	-	49,000	None
New Mexico	-	-	\$142/day tied to federal rate.

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	Regular Session Salaries		Per Diem Living Expenses
	Per Diem	Annual	
New York	-	79,500	Varies tied to federal rate.
North Carolina	-	13,951	\$104/day. \$559.00/month expense allowance.
North Dakota	125.00	-	Lodging reimbursement up to \$900/month.
Ohio	-	58,934	None
Oklahoma	-	38,400	\$122/day tied to federal rate.
Oregon	-	18,408	\$99/day tied to federal rate.
Pennsylvania	-	73,613	\$129/day tied to federal rate. Legislators can receive actual expenses or per diem.
Rhode Island	-	13,089	None
South Carolina	-	10,400	\$119/day for meals and housing for each session day and committee meeting tied to federal rate.
South Dakota	-	12,000	\$110/legislative day.
Tennessee	-	18,123	\$153/legislative day tied to federal rate.
Texas	-	7,200	\$139/day.
Utah	130.00	-	\$90/day lodging for each calendar day. Tied to federal rate. \$54/day meals
Vermont	-	601	Federal per diem rate for Montpelier is \$88/day for lodging and \$51/day for meals for non-commuters. Commuters receive \$51/day for meals plus mileage.
Virginia	-	-	
Senate	-	18,000	\$140/day tied to federal rate.
House	-	17,640	\$135/day tied to federal rate.
Washington	-	36,311	\$90/day
West Virginia	-	15,000	\$115/day during session.
Wisconsin	-	47,413	\$88/day maximum (90% of federal rate).
Wyoming	150.00	-	\$85/day. Includes travel days for those outside of Cheyenne.

\*Excludes interim and additional leadership pay

Sources: *Book of the States, Council of State Governments, 2007*  
*National Conference of State Legislatures*

**Attachment C**  
**STATE LEGISLATOR COMPENSATION**  
**2005**

Rank	State	Amount
1	California	\$ 110,880
2	Michigan	79,650
3	New York	79,500
4	Pennsylvania	69,647
5	Illinois	57,619
6	Ohio	56,261
7	Massachusetts	55,569
8	New Jersey	49,000
9	Wisconsin	45,569
10	Maryland	40,500
11	Delaware	39,785
12	Oklahoma	38,400
13	Washington	34,227
14	Hawaii	34,200
15	Missouri	31,351
16	Minnesota	31,141
17	Colorado	30,000
18	Florida	29,916
19	Connecticut	28,000
20	Alaska	24,012
21	Arizona	24,000
22	Iowa	21,381
23	Virginia	18,000
24	Louisiana	16,800
25	Georgia	16,524
26	Tennessee	16,500
27	Oregon	16,284
28	Idaho	15,646
29	West Virginia	15,000
30	Arkansas	14,067
31	North Carolina	13,951
32	Vermont	12,705
33	Rhode Island	12,646
34	Nebraska	12,000
35	Indiana	11,600
36	Maine	11,384
37	South Carolina	10,400
38	Mississippi	10,000
39	New Mexico	8,460
40	Kentucky	7,658
41	Texas	7,200
42	North Dakota	7,000
<b>43</b>	<b>Kansas</b>	<b>6,651</b>
44	South Dakota	6,000
45	Utah	5,400
46	Wyoming	4,500
47	Nevada	3,900
48	Montana	3,379
49	Alabama	1,050
50	New Hampshire	100

\*Excludes interim pay, leadership pay, and per diem living expenses.

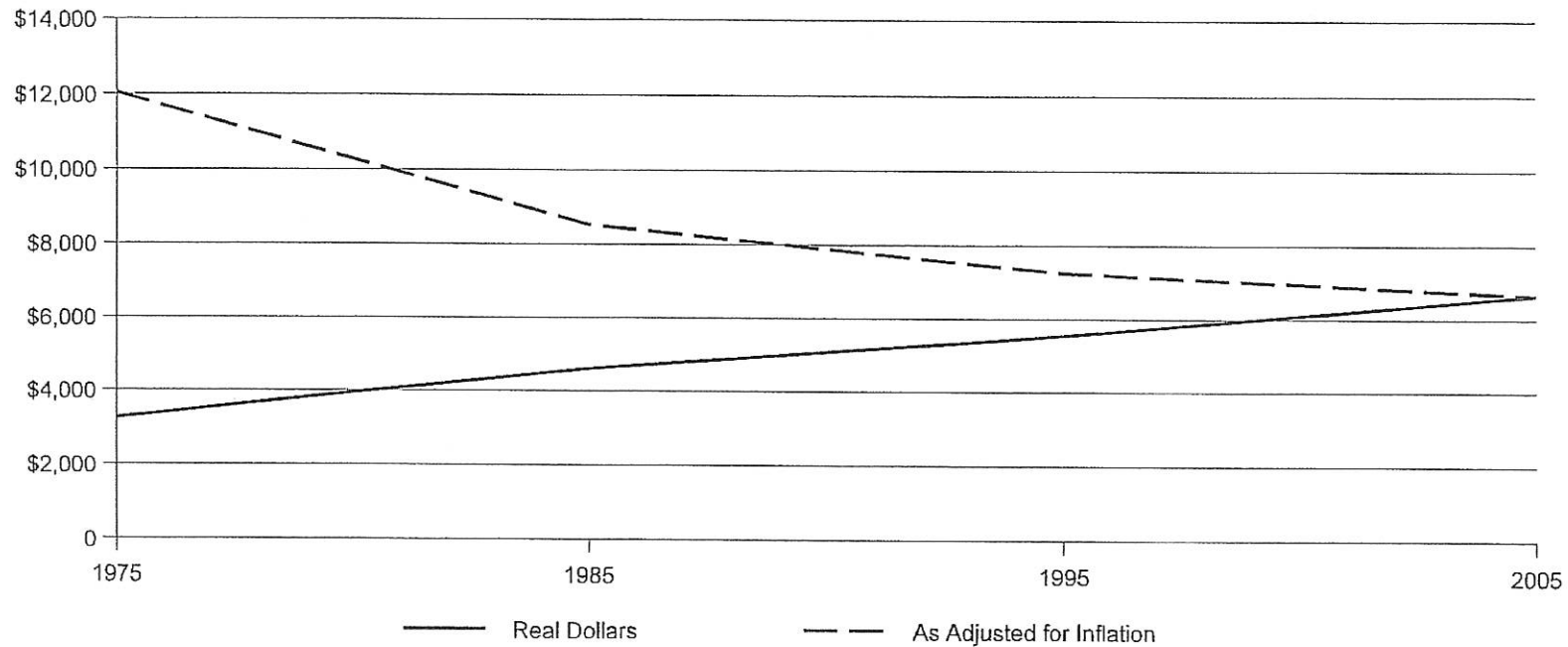
Source: *State Legislator Compensation: A Trends Analysis*, Council of State Governments, 2007

Attachment D  
STATE LEGISLATOR COMPENSATION 1975-2005  
As Adjusted for Inflation

	1975	1985	1995	2005	Change From 1975-2005	
					Dollar	Percent
Alabama	\$ 3,888	\$ 1,944	\$ 1,372	\$ 1,050	\$ (2,838)	(72.99) %
Alaska	54,502	40,981	31,386	24,012	(30,490)	(55.94)
Arizona	22,216	27,765	19,606	24,000	1,784	8.03
Arkansas	4,443	13,883	16,339	14,067	9,624	216.60
California	78,199	62,438	94,110	110,880	32,681	41.79
Colorado	28,140	32,393	22,874	30,000	1,860	6.61
Connecticut	20,364	24,063	21,907	28,000	7,636	37.50
Delaware	33,323	37,020	33,984	39,785	6,462	19.39
Florida	44,431	33,318	30,382	29,916	(14,515)	(32.67)
Georgia	26,659	13,327	14,187	16,524	(10,135)	(38.02)
Hawaii	44,431	28,876	41,827	34,200	(10,231)	(23.03)
Idaho	1,851	2,832	16,156	15,646	13,795	745.14
Illinois	74,052	60,158	55,244	57,619	(16,433)	(22.19)
Indiana	22,216	21,472	15,162	11,600	(10,616)	(47.78)
Iowa	29,621	27,025	24,573	21,381	(8,240)	(27.82)
<b>Kansas</b>	<b>12,052</b>	<b>8,526</b>	<b>7,246</b>	<b>6,651</b>	<b>(5,401)</b>	<b>(44.81)</b>
Kentucky	2,777	5,553	3,921	7,658	4,881	175.76
Louisiana	11,108	31,097	21,959	16,800	5,692	51.25
Maine	14,255	13,883	13,038	11,384	(2,871)	(20.14)
Maryland	46,283	38,871	37,670	40,500	(5,783)	(12.49)
Massachusetts	46,979	55,530	60,662	55,569	8,591	18.29
Michigan	70,349	67,599	64,250	79,650	9,301	13.22
Minnesota	31,102	41,370	38,788	31,141	39	0.13
Mississippi	29,991	18,510	13,071	10,000	(19,991)	(66.66)
Missouri	31,102	36,139	31,779	31,351	249	0.80
Montana	3,221	4,602	3,170	3,379	158	4.90
Nebraska	17,772	8,885	15,685	12,000	(5,772)	(32.48)
Nevada	6,665	5,775	5,098	3,900	(2,765)	(41.48)
New Hampshire	370	185	131	100	(270)	(72.99)
New Jersey	37,026	46,275	45,748	49,000	11,974	32.34
New Mexico	8,886	8,330	5,882	8,460	(426)	(4.80)
New York	87,011	79,593	75,157	79,500	(7,511)	(8.63)
North Carolina	17,772	15,548	18,235	13,951	(3,821)	(21.50)
North Dakota	741	7,497	5,647	7,000	6,259	845.28
Ohio	64,796	58,601	55,454	56,261	(8,535)	(13.17)
Oklahoma	36,878	37,020	41,827	38,400	1,522	4.13
Oregon	19,550	17,214	17,128	16,284	(3,266)	(16.70)
Pennsylvania	57,761	64,785	61,433	69,647	11,886	20.58
Rhode Island	1,314	777	6,333	12,646	11,332	862.10
South Carolina	62,852	18,510	13,594	10,400	(52,452)	(83.45)
South Dakota	9,257	5,923	5,577	6,000	(3,257)	(35.18)
Tennessee	23,106	23,138	21,567	16,500	(6,606)	(28.59)
Texas	26,659	13,327	9,411	7,200	(19,459)	(72.99)
Utah	5,554	5,414	5,000	5,400	(154)	(2.77)
Vermont	7,942	9,194	11,292	12,705	4,763	59.97
Virginia	20,272	20,361	23,527	18,000	(2,272)	(11.21)
Washington	14,070	25,359	33,853	34,227	20,157	143.26
West Virginia	17,772	12,032	19,606	15,000	(2,772)	(15.60)
Wisconsin	58,049	50,351	49,742	45,569	(12,480)	(21.50)
Wyoming	1,666	4,165	4,902	4,500	2,834	170.08
<b>Average</b>	<b>\$ 27,826</b>	<b>\$ 25,749</b>	<b>\$ 25,730</b>	<b>\$ 25,908</b>	<b>\$ (1,918)</b>	<b>(6.89) %</b>

Source: *State Legislator Compensation: A Trends Analysis*, Council of State Governments, 2007

**Attachment E**  
**LEGISLATIVE ANNUAL SALARIES IN KANSAS\***  
**1975-2005**



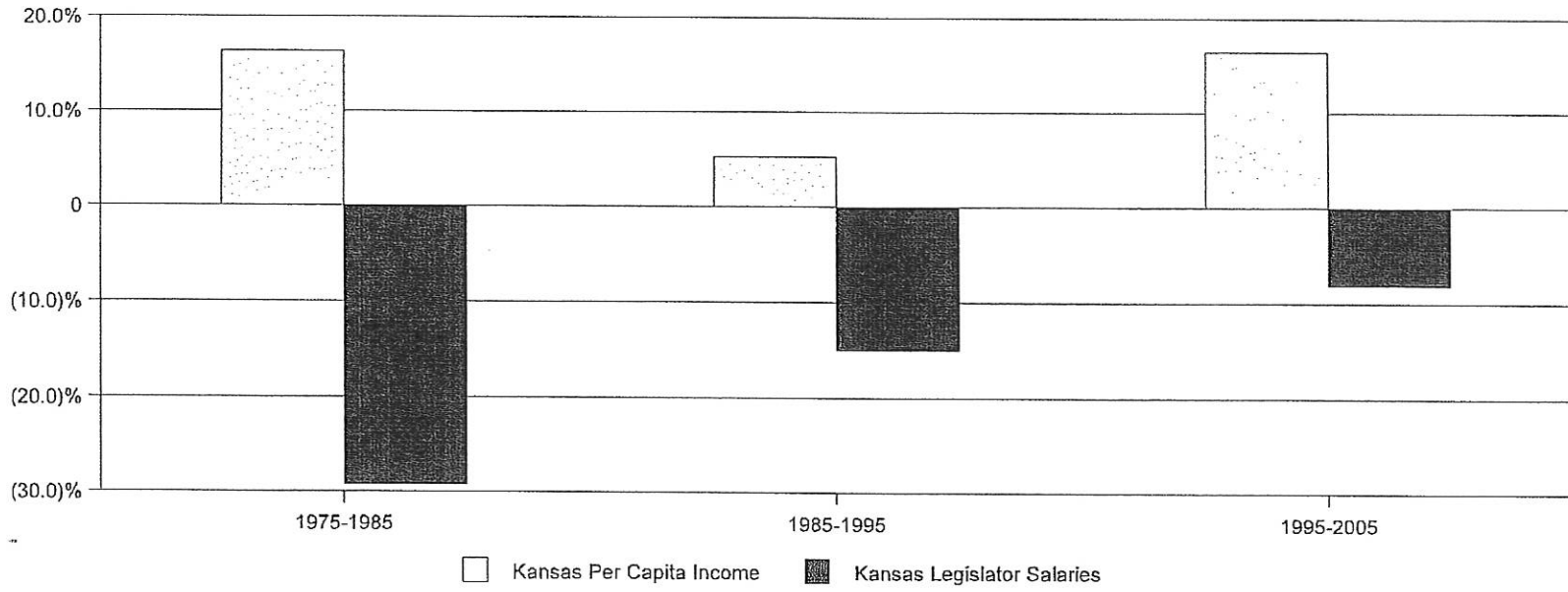
\*Excludes interim pay, leadership pay, and per diem living expenses.

Source: *State Legislator Compensation: A Trends Analysis*, Council of State Governments, 2007

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**Attachment F**  
**PERCENT CHANGE IN KANSAS PER CAPITA PERSONAL INCOME AND ANNUAL LEGISLATOR SALARIES**  
**1975-2005 (As Adjusted for Inflation)**



Source: *State Legislator Compensation: A Trends Analysis*, Council of State Governments, 2007

## COMPENSATION

The Kansas Constitution specifically authorizes members of the legislature to receive “compensation as may be provided by law or such compensation as is determined according to law.” (Emphasis added. Kan. Const. Art. 2, sec. 3.) The language “as is determined according to law” was intended to permit the legislature to “create a compensation commission which would establish compensation subject to approval of, or veto by, the legislature.” (Reports of Special Committees to the 1974 Kansas Legislature, p. 26-3.) The Kansas Constitution provides that state constitutional officers receive “compensation as is established by law” for that office. (Kan. Const. Art. 1, sec. 15.) Justices of the supreme court and judges of the district courts receive, under the Kansas Constitution, “compensation as may be provided by law....” (Kan. Const. Art. 3, sec. 13.) Other than members of the legislature, no state official is authorized by the Kansas Constitution to receive “compensation as is determined according to law.”

Prepared by Norman J. Furse, Revisor Emeritus

# OPINION LOW

## Raise pay of A.G., officials

It's one thing for an attorney to see a pay cut as the price of going from private practice to public service. It's another — and an embarrassment — that Kansas has asked two public servants in a row to take sizable salary reductions in taking the vital job of attorney general, first Paul Morrison and now Stephen Six.

As a Douglas County District Court judge since 2005, Six has earned \$118,000 a year. As the state's attorney general — the chief executive of what Gov. Kathleen Sebelius rightly called “the people's law firm” — Six will earn \$96,000. To take the attorney general job last year, then-Johnson County District Attorney Morrison had to take a \$50,000 pay cut.

Especially with the attorney general now being a hot seat in the abortion wars, the post calls for higher pay.



As a Douglas County District Court judge since 2005, Stephen Six has earned \$118,000 a year. As the state's attorney general, Six will earn \$96,000. To take the attorney general job last year, then-Johnson County District Attorney Paul Morrison had to take a \$50,000 pay cut.

As Senate Vice President John Vratil, R-Leawood, observed of Sebelius' “outstanding” choice of Six: “Not only is he taking a pay cut, but he's going into the lion's den.”

Six also took a pay cut to leave private practice and accept Sebelius' appointment to the bench in 2005, a fact not lost on his wife. “Betsy's a little concerned about me having any more success,” Six said.

Jokes aside, state leaders need to rethink elected officials' salaries generally, including their own.

Last summer, an interim legislative committee learned that the governor's salary of \$105,889 was \$18,500 less than the 50-state average. The \$82,260 salaries for secretary of state, state treasurer and insurance commissioner fell \$16,500, \$18,700 and \$23,600 short of the national average, respectively. Even worse was the way Kansas had shorted its lieutenant governor, whose \$29,950 salary was \$57,500 less than the national average among states with comparable posts.

The reality check on public paychecks should start with the Legislature, too. Our citizen-legislators' pay rate depends on interim assignments and the like, but it has been estimated at \$23,300 and ranked 43rd among states. One study found that when adjusted for inflation, Kansas' legislative salaries declined 44.8 percent from 1975 to 2005. More money might not translate into more accomplished lawmakers, but it couldn't hurt.

Most elected officials would rather eat glass than raise their own salaries, especially in an election year. But top-quality leadership is hard to find at bottom-dollar prices. Kansas can't keep undervaluing these jobs forever.

17  
SATURDAY  
JANUARY 26, 2008  
Denise Ty

KJI



# KANSAS

OFFICE OF THE GOVERNOR

KATHLEEN SEBELIUS, GOVERNOR

## Senate Federal and State Affairs Committee

Sally Howard, Governor's General Counsel

March 18, 2008

Mr. Chairman and members of the Committee,

Thank you for allowing me the opportunity to testify this morning on Senate Bill 659.

For many years there has been consideration of a Legislative Pay Commission and allowing a chance for experts to be appointed to review what constitutes market salaries for Legislators and to propose a revised salary plan. Much like the State Employee Pay Commission that was established last session and whose work is being considered this session, Senate Bill 659 establishes a pay commission to review Legislative and Statewide Elected Official salary issues.

I am not here today to support or oppose the salary changes that are included in Senate Bill 659 for statewide elected officials, but to support the notion of a Legislative Pay Commission to review current salary and consider what other states pay their Legislative members and Statewide Elected Officials.

Of specific concern is the salary of the Attorney General. Within the past two years, Kansas has seen two new Attorney's General come into office both of whom have taken significant salary cuts to serve the people of Kansas. At a minimum, the administration believes that the Attorney's General of Kansas should have a salary that is equal to that of the District Attorneys and District Court Judges in Kansas. KSA 22a-105 would be the logical statute to consider amending to achieve this goal. By amending KSA 22a-105 to include the Attorney's General, the significant pay disparity would be resolved. Included on the back of this testimony is a draft amendment to insert the Attorney's General into KSA 22a-105.

Thank you for the opportunity to testify before you today and I would be happy to answer any questions you may have.

22a-105

**Chapter 22a.--DISTRICT OFFICERS AND EMPLOYEES**

**Article 1.--DISTRICT ATTORNEYS**

**22a-105. District attorney; salary; travel and subsistence expenses.**

Each of the district attorneys *and the Attorney's General* elected under this act shall receive an annual salary in the amount of no less than the salary provided for district judges in K.S.A. 75-3120g and amendments thereto. The salary of each district attorney shall be paid by the county comprising the judicial district in which the district attorney is elected in equal monthly installments and in the manner county officers and employees are paid. The district attorneys and their deputies and assistants shall be reimbursed for their actual travel and subsistence expenses incurred while in the performance of their official duties within or without the district.

**History:** L. 1972, ch. 71, § 5; L. 1973, ch. 175, § 50; L. 1974, ch. 361, § 19; L. 1976, ch. 380, § 4; L. 1978, ch. 132, § 1; L. 1998, ch. 197, § 1; July 1.

## Gap for Kansas to become Real ID Compliant

1. Photo First – By 12/31/09 implement new procedures for capturing the photo of all applicants, even if the DL or ID will not be issued.
2. Document Verification with various data bases by 12/31/09.
  - Verify an applicants lawful presence status through the SAVE system.
  - Birth Certificates through EVVE.
  - US Passports through CLASS.
  - Other State issued DL's through DRIVERS
3. New Enhanced/Next Generation Driver License that deters fraud and prevents tampering by 5/11/2011.
4. Ability to retain (image) the documents presented by the applicant when applying for a drivers License by 12/31/09.
5. Ongoing review and update of our security plan. Annually after 12/31/09.
6. Ongoing training for our employees on fraud detection.
7. Background checks on all employees including county treasurers, drivers license examiners and others.

Description	Cost
<b>Current</b>	
Centrally Issued DL	\$ 2.70
Postage	\$ 0.37
Salaries	\$ 0.93
	<b>\$ 4.00</b>
<b>Description</b>	<b>Cost</b>
<b>Future</b>	
New Enhanced Secure DL (card) Manufactured with new material	\$ 2.16
Communication with EVVE Citizenship Verification	\$ 0.10
Communication with Lawful Status Verification through SAVE	\$ 0.08
Facial Recognition	\$ 0.29
Central Image Document Storage Server	\$ 0.12
Scanning hardware	\$ 0.23
Hardware/Software for 200 workstations	\$ 0.59
Security for DL Offices	\$ 0.50
Current Staff Classification Realignment	\$ 2.74
One time and recurring background checks	\$ 0.02
Future DRIVERS System Hub Connection and Fees	\$ 0.25
Transaction Fees for EVVE and SAVE	\$ 0.92
	<b>\$ 8.00</b>
<b>Proposed New Photo Fee</b>	<b>\$ 12.00</b>

EVVE  
 DRIVERS  
 System Hub  
 Connection  
 and Fees  
 Transaction Fees for EVVE and SAVE  
 Security for DL Offices  
 Hardware/Software for 200 workstations  
 Scanning hardware  
 Central Image Document Storage Server  
 Facial Recognition  
 Communication with Lawful Status  
 Verification through SAVE  
 Communication with EVVE Citizenship  
 Verification  
 New Enhanced Secure DL (card)  
 Manufactured with new material  
 Centrally Issued DL  
 Postage  
 Salaries

[As Amended by House Committee of the Whole]

Session of 2007

2562SFSAGW

**Substitute for HOUSE BILL No. 2562**

By Committee on Veterans, Military and Homeland Security

3-22

10 AN ACT relating to veterans; concerning veterans preference; amending  
11 K.S.A. 73-201 and repealing the existing section.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 73-201 is hereby amended to read as follows: 73-  
15 201. (a) As used in this act: (1) "Veteran" means:

16 (A) Any person who entered the armed forces before October 15,  
17 1976, and separated from the armed forces under honorable conditions,  
18 if such person served: (i) On active duty during any war (the official dates  
19 for war service are April 6, 1917 through July 2, 1921, and December 7,  
20 1941 through April 28, 1952); (ii) during the period April 28, 1952  
21 through July 1, 1955; (iii) in any campaign or expedition for which a  
22 campaign badge or service medal has been authorized; or (iv) for more  
23 than 180 consecutive days since January 31, 1955, but before October 15,  
24 1976, excluding an initial period of active duty for training under the "six-  
25 month" reserve or national guard program;

26 (B) any person who entered the armed forces on or after October 15,  
27 1976, and separated from the armed forces under honorable conditions,  
28 if such person was awarded a service medal or campaign badge;

29 (C) any person who separated from the armed forces under honorable  
30 conditions and has a disability certified by the United States department  
31 of veterans affairs as being service connected, has been issued the purple  
32 heart by the United States government or has been released from active  
33 service with a service-connected disability;

34 (D) the spouse of a veteran who has a 100% service connected disa-  
35 bility as determined by the United States department of veteran affairs;

36 (E) the unremarried spouse of a veteran who died while, and as a  
37 result of, serving in armed forces; and

38 (F) the spouse of a prisoner of war, as defined by K.S.A. 75-4364, and  
39 amendments thereto.

40 Notwithstanding the foregoing, the term "veteran" shall not apply to  
41 any person who retired from the [active] military with the pay grade of \_\_\_\_\_ or is a disabled veteran  
42 04 or above unless the person retired due to wounds received in combat.

43 (2) "Competent" means a good faith determination that the person is



1 *likely to successfully meet the performance standards of the position based*  
 2 *on what a reasonable person knowledgeable in the operation of the po-*  
 3 *sition would conclude from all information available at the time the de-*  
 4 *cision is made. The basis for such determination shall include experience,*  
 5 *training, education, licensure, certification and/or other factors deter-*  
 6 *mined by the decision making authority as appropriate to determine the*  
 7 *applicant's overall qualification and ability to successfully meet the per-*  
 8 *formance standards of the position. The decision making authority shall*  
 9 *document such factors prior to the initiation of the selection process.*

10 (b) ~~In grateful recognition of the services, sacrifices and sufferings of~~  
 11 ~~persons veterans~~ who served in the army, navy, air force, coast guard or  
 12 marine corps of the United States in world war I and world war II, and  
 13 of persons who have served with the armed forces of the United States  
 14 during the military, naval and air operations in Korea, Viet Nam, Iraq,  
 15 Afghanistan or other places under the flags of the United States and the  
 16 United Nations or under the flag of the United States alone, and have  
 17 been honorably discharged therefrom, ~~they the provisions of this section~~  
 18 ~~are enacted.~~

19 (c) ~~Veterans shall be preferred for appointments and employed to fill~~  
 20 ~~positions initial employment and first promotion in every public depart-~~  
 21 ~~ment and upon all public works of the state government of Kansas, and~~  
 22 ~~of in the counties and cities of this state, if competent to perform such~~  
 23 ~~services, and the person. Any veteran thus preferred shall not be dis-~~  
 24 ~~qualified from holding any position in said such service on account of his~~  
 25 ~~the veteran's age or by reason of any physical or mental disability, pro-~~  
 26 ~~vided as long as such age or disability does not render him the veteran~~  
 27 ~~incompetent to perform the duties of the position applied for, and. When~~  
 28 ~~any such ex-soldier, sailor, airman or marine veteran shall apply for ap-~~  
 29 ~~pointment to any such position, place, or employment, the officer, board~~  
 30 ~~or person whose duty it is or may be to appoint a person to fill such place~~  
 31 ~~shall, if the applicant be a man or woman veteran of good reputation, and~~  
 32 ~~can competently perform the duties of the position applied for by him or~~  
 33 ~~her the veteran, appoint said ex-soldier, sailor, airman or marine consider~~  
 34 ~~the veteran for appointment to such position, place, or employment. Pro-~~  
 35 ~~vided, That. Within 30 days of filling a position, eligible veterans who~~  
 36 ~~have applied and are not hired shall be notified by certified mail or per-~~  
 37 ~~sonal service that they are not being hired. Such notice also shall advise~~  
 38 ~~the veteran of any administrative appeal available.~~

39 (d) The provisions of this act shall not be applicable to any persons  
 40 classed as conscientious objectors. The provisions of this act shall not be  
 41 controlling over the provisions of any statute, county resolution or city  
 42 ordinance relating to retirement, or termination on the basis of age, of  
 43 employees of the state or any county or city. Whenever under any statute,

(3) "Disabled veteran" means a person who has served on active duty in the armed forces, has been separated therefrom under honorable conditions, and has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the department of veterans affairs or a military department.

1 county resolution or city ordinance retirement, or termination on the basis  
2 of age, of any employee is required at a certain age, or is optional with  
3 the employer at a certain age, such provisions of such statute, resolution  
4 or ordinance shall be controlling and shall not be limited by this section.

5 (e) *All notices of job openings, if any, and all applications for em-*  
6 *ployment, if any, by the state and any city or county in this state shall*  
7 *state that the job is subject to a veteran's preference, how the preference*  
8 *works and how veterans may take advantage of the preference and ~~at~~*  
9 *least 30 days prior to announcing the intent to fill a position, post a written*  
10 *statement of: (1) The qualifications for such position; (2) any preferred*  
11 *qualifications of such position; (3) performance standards for the position;*  
12 *and (4) the process that will be used for selection. A veteran desiring to*  
13 *use veteran's preference shall provide the hiring authority with a copy of*  
14 *the veteran's DD214 form.*

15 (f) *Every employment center of the state and any city or county hu-*  
16 *man resources department, if any, shall openly display documents that*  
17 *indicate that veterans are eligible for a preference in their initial employ-*  
18 *ment and any first promotion within the employment of the governmental*  
19 *entity.*

20 (g) *Any veteran who alleges that a state agency, city or county has*  
21 *not provided the veterans preference as required by this act, after ex-*  
22 *hausting any available administrative remedy, may bring an action in the*  
23 *district court. If the court or jury finds that the state agency, city or county*  
24 *has failed to provide the veterans preference, the veteran shall be entitled*  
25 *to reasonable attorney fees.*

26 New Sec. 2. (a) The provisions of section 1, and amendments  
27 thereto, shall not apply to the following:

- 28 (1) An office filled by election;  
29 (2) positions which are filled by officers elected by popular vote or  
30 persons appointed to fill vacancies in such offices and the personal sec-  
31 retary of each such officer, members of boards and commissions, persons  
32 employed on a temporary basis ~~without benefits~~, heads of departments,  
33 positions that require licensure as a physician, licensure as an osteopathic  
34 physician, licensure as a chiropractic physician and positions that require  
35 that the employee be admitted to practice law in Kansas;  
36 (3) a key employee as defined in subsection (b);  
37 (4) a job held by a patient, inmate or student in or enrolled at a state  
38 institution; and  
39 (5) temporary or casual employment positions.

40 (b) As used in this section, "key employee" means an individual spe-  
41 cifically hired for ~~an~~ [a city or county] at will position or for a non-  
42 classified position [or a department or agency head, or an individual  
43 serving as the immediate subordinate, secretary or administrative

1 **assistant of a person holding such position;** such as a position as a  
2 private secretary or deputy of an official ~~or,~~ department **[or agency]**  
3 who holds a confidential relationship to the appointing or employing of-  
4 ficer[,] and positions in the unclassified service of the state of Kansas as  
5 enumerated in K.S.A. 75-2935, and amendments thereto or other Kansas  
6 statutes.

7 New Sec. 3. To the extent that this act conflicts with federal law or  
8 a limitation provided by a federal grant to a public entity, this act shall  
9 be construed to operate in harmony with the federal law or limitation of  
10 the federal grant.

11 New Sec. 4. Prior to the beginning of the 2010 regular legislative  
12 session, the division of post audit shall conduct an audit of the Kansas  
13 veterans preference laws. The audit shall be in accordance with article  
14 11 of chapter 46 of the Kansas Statutes Annotated, and amendments  
15 thereto. The audit report shall be submitted to the legislature at the com-  
16 mencement of the regular session of the legislature in ~~2010~~ 2011.

17 Sec. 5. K.S.A. 73-201 is hereby repealed.

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

Session of 2008

**SENATE BILL No. 675**

By Committee on Federal and State Affairs

3-11

9 AN ACT concerning cities; relating to the use of credit cards by persons  
10 to pay certain taxes, fees and exactions.

11

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

Any

13 Section 1. ~~Notwithstanding the provisions of K.S.A. 16a-2-403, and~~  
14 ~~amendments thereto, any~~ city may accept credit cards for the payment  
15 of taxes, utility fees or other exactions. Any city may establish the type of  
16 credit card the city will accept and may set a fee to be added to each  
17 credit card transaction equal to the charge paid by the city for the use of  
18 the credit card by the person.

or debit

19 Sec. 2. This act shall take effect and be in force from and after its  
20 publication in the statute book.

. The city

If the city imposes a fee for payments made by credit card, the city shall provide notice of such fee to the person making payment by credit card.

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A city also may provide for establishment of secure internet sockets that will allow payment by a credit or debit card via the internet.

Any transactions involving payment by credit card pursuant to this section shall not be subject to the provisions of K.S.A. 16a-2-403, and amendments thereto.