

STATE OF KANSAS

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HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **Substitute for HB 2768**, on page 39, in line 18, by adding \$5,020,327 to the dollar amount and by adjusting the dollar amount in line 18 accordingly; also on page 39, by striking all in lines 20 through 22;

On page 225, following line 35, by inserting the following:

"Sec. 121 (a) In addition to the other purposes for which expenditures may be made by state agencies from one or more accounts of the state general fund and one or more special revenue funds in accordance with appropriations for the fiscal year ending June 30, 2013, made by this or other appropriation act of the 2012 regular session of the legislature, for additional amounts of compensation for state officers and employees in accordance with the following:

(1) (A) The governor is hereby authorized and directed to modify the pay plan for fiscal year 2013 in accordance with this subsection (a)(1)(A) and to adopt such pay plan as so modified. The existing pay plan for fiscal year 2013 shall be modified to provide for a base pay rate increase of 1.0% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013. The pay plan adopted by the governor under this subsection (a)(1)(A) shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first biweekly payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending June 30, 2013. The pay plan adopted by the governor under this subsection for fiscal year 2013 shall be subject to modification and approval as provided under K.S.A. 75-2938, and amendments thereto, and to any

enactment of the legislature applicable thereto.

(B) The governor is hereby authorized to modify or authorize the modification of the salaries of state officers and employees who are in the unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor under K.S.A. 75-2935b or 75-2935c, and amendments thereto, to provide for base salary increases, to be effective on the first day of the first payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending on June 30, 2013, for which the base salary increase is authorized in accordance with this subsection (a)(1)(B), and to be distributed from a salary increase pool: *Provided*, That, for each biweekly payroll period commencing on or after June 10, 2012, which is chargeable to fiscal year 2013, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees.

(C) Each elected state official of the executive branch of state government, including the state board of education, and the board of directors of the Kansas technology enterprise corporation, the members of Kansas, Inc., the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official, corporation or board's discretion, are hereby authorized to modify or to authorize the modification of the salaries of the state officers and employees of such official, corporation or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b, and amendments thereto, to provide for base salary increases to be effective on the first day of the first payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending June 30, 2013, for which the base salary increase is authorized in accordance with this subsection (a)(1)(B), and to be distributed from a salary increase pool: *Provided further*, That, for each biweekly payroll period commencing on or after June 10, 2012, which is chargeable to fiscal year

2013, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees of such official, corporation or board.

(b) (1) There is hereby appropriated for the state finance council from the state general fund for the fiscal year ending June 30, 2013, the sum of \$8,952,978 to be used for the purpose of paying the proportionate share of the cost to the state general fund of: (A) The pay rate increases which are provided for by modification of the pay plan for state officers and employees in the classified service under the Kansas civil service act as provided in subsection (a)(1)(A), by providing a base pay rate increase of 1.0% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013; and (B) the salary increases for state officers and employees in the unclassified service under the Kansas civil service act which are provided for in subsection (a)(1)(B) and subsection (a)(1)(C) for biweekly pay periods which are chargeable to the fiscal year ending June 30, 2013.

(2) To pay the proportionate share of the cost to the state general fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b) (1) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state general fund appropriations for the fiscal year ending June 30, 2013.

(3) (A) There is hereby appropriated for the state finance council from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the sum of \$43,567 to be used for

the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increases specified in subsection (b).

(B) To pay the proportionate share of the cost to the state economic development initiatives fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(3)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state economic development initiatives fund appropriations for the fiscal year ending June 30, 2013.

(4) (A) There is hereby appropriated for the state finance council from the state water plan fund for the fiscal year ending June 30, 2013, the sum of \$12,767 to be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increases specified in subsection (b)(1).

(B) To pay the proportionate share of the cost to the state water plan fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(4)(A) by the director of accounts and reports, who is hereby authorized and directed to

make such transfers in accordance with such approval, to the proper accounts created by state water plan fund appropriations for the fiscal year ending June 30, 2013.

(5) (A) There is hereby appropriated for the state finance council from the children's initiatives fund for the fiscal year ending June 30, 2013, the sum of \$785 to be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increases specified in subsection (b)(1).

(B) To pay the proportionate share of the cost to the children's initiatives fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(4)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by children's initiatives fund appropriations for the fiscal year ending June 30, 2013.

(6) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including

associated employer contributions, of the salary increases specified in subsection (b)(1) for the fiscal year ending June 30, 2013.

(7) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases specified in subsection (b)(1), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

(8)

LEGISLATIVE COORDINATING COUNCIL

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Legislative coordinating council – operations.....	\$4,473
Legislative research department – operations.....	\$32,574
Office of revisor of statutes – operations.....	\$22,610

(9)

LEGISLATURE

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including official hospitality).....	\$38,982
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(10)

DIVISION OF POST AUDIT

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including legislative post audit committee).....\$17,456

(11)

JUDICIAL BRANCH

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Judiciary operations.....\$951,254

(B) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-31201, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for the judicial branch from the state general fund or any special revenue fund for fiscal year 2013 by this or any other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court of appeals, any district judge or any district magistrate judge for fiscal year 2013 that is greater than a 1.0% increase in any such salary or other compensation: *Provided*, That, during the fiscal year ending June 30, 2013, no provision of this section or any other statute shall be deemed to constitute or to otherwise authorize increases in the monthly rates of compensation from step movements of the pay plan for persons in the classified service under the Kansas civil service act under K.S.A. 75-31201, and amendments thereto, that would provide an aggregate percentage increase of compensation for fiscal year 2013 that is greater than 1.0% in the salary or other compensation of the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court

of appeals, any district judge or any district magistrate judge, and no such salary or other compensation shall be increased for fiscal year 2013 based upon the provisions of this section or any other statute by any aggregate percentage increase of compensation greater than 1.0%: *Provided further*, That, notwithstanding any provision of K.S.A. 75-3120l, and amendments thereto, to the contrary, the provisions of K.S.A. 75-3120l, and amendments thereto, shall be construed to provide an aggregate percentage increase of compensation equal to 1.0% for fiscal year 2013 for the chief justice of the supreme court, each other justice of the supreme court, the chief judge of the court of appeals, each other judge of the court of appeals, each district judge and each district magistrate judge, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013.

(c) (1) Notwithstanding any provision of K.S.A. 75-3111a, and amendments thereto, to the contrary, the provisions of this section shall not authorize or provide any salary increase during the fiscal year ending June 30, 2013, for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or any member of the legislature, or for any member of any state board, commission, council or committee receiving *per diem* compensation as provided by statute.

(2) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-3111a, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or the legislature from the state general fund or any special revenue fund for fiscal year 2013 by this or any other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for the governor, lieutenant governor, secretary of state, state treasurer,

commissioner of insurance, attorney general, or any member of the legislature, for fiscal year 2013.

(3) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-3111a, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for any state agency named in this or any other appropriation act of the 2012 regular session of the legislature from the state general fund or any special revenue fund for fiscal year 2013 by this or any other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for any member of any state board, commission, council or committee receiving *per diem* compensation as provided by statute, for fiscal year 2013."

And renumbering remaining sections accordingly

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