

SENATE BILL No. 395

By Committee on Judiciary

2-2

1 AN ACT concerning the legislature; relating to regular sessions;
2 legislators' compensation; amending K.S.A. 46-137e, 46-157 and 75-
3 3212 and K.S.A. 2015 Supp. 46-137a and repealing the existing
4 sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 46-157 is hereby amended to read as follows: 46-
8 157. (a) The senate and the house of representatives shall convene in
9 regular session of the legislature annually at 2:00 ~~o'clock~~ p.m. of the
10 second Monday of January.

11 (b) *The duration of regular sessions held in odd-numbered years*
12 *shall not exceed 100 calendar days and the duration of regular sessions*
13 *held in even-numbered years shall not exceed 60 calendar days. Such*
14 *sessions may be extended by an affirmative vote of two-thirds of the*
15 *members elected or appointed to each house.*

16 Sec. 2. K.S.A. 2015 Supp. 46-137a is hereby amended to read as
17 follows: 46-137a. In addition to the compensation provided for by K.S.A.
18 46-137b, 46-137e and 75-3212, and amendments thereto, each member of
19 the legislature shall receive the following amounts:

20 (a) *On July 1, 2016, during even-numbered years, the sum of \$5,400*
21 *for the regular session, during odd-numbered years, the sum of \$8,800 for*
22 *the regular session, and the sum of \$88.66 per calendar day for service at*
23 *any ~~regular or~~ special session, except as otherwise provided in subsection*
24 *(e). The director of legislative administrative services shall determine*
25 *payment of such amount for service at any regular session as a sum paid*
26 *per pay period on a per calendar day basis calculated using the maximum*
27 *number of calendar days specified in K.S.A. 46-157(b), and amendments*
28 *thereto, for a regular session;*

29 (b) the sum of \$109 per calendar day for subsistence allowance for
30 any regular or special session of the legislature, except that if the amounts
31 allowable for the capital city of Kansas under applicable federal law and
32 regulations to employees of the executive branch of the federal
33 government for per diem expenses, while away from home but serving in
34 the United States, are amounts which total greater than \$109, then each
35 member of the legislature shall receive such greater total amount per
36 calendar day for subsistence allowance for any regular or special session

1 of the legislature;

2 (c) an allowance of \$354.15 for the two-week period which coincides
3 with the biweekly payroll period which includes April 1st and for each of
4 the 19 ensuing two-week periods thereafter, to defray expenses incurred
5 between sessions of the legislature for postage, telephone, office and other
6 incidental expenses, except as otherwise provided in subsection (f);

7 (d) an allowance for mileage in an amount equal to the rate per mile
8 prescribed under the provisions of K.S.A. 75-3203a, and amendments
9 thereto, multiplied by the number of miles traveled by the usual route in
10 going to and returning from the member's place of residence for any
11 regular or special session of the legislature. Such mileage allowances shall
12 be paid for not to exceed the equivalent of one trip for each full week
13 occurring between convening and adjournment sine die in any regular or
14 special session. The mileage allowance provided under the provisions of
15 this subsection shall not be subject to the restrictions relating to the use of
16 vehicles prescribed by K.S.A. 75-3203 and 75-3203a, and amendments
17 thereto, but shall only be allowed for trips actually made. Compensation
18 *during a special session* and subsistence allowance *during a regular or*
19 *special session* shall not be allowed under the provisions of subsections (a)
20 and (b) ~~of this section~~ during any period in which the legislature is
21 adjourned for more than two days, Sundays excepted; and

22 (e) whenever the rates of compensation of the pay plan for persons in
23 the classified service under the Kansas civil service act are increased for
24 payroll periods chargeable to fiscal years commencing after June 30, 2009,
25 the rate of compensation per calendar day for members of the legislature
26 for service at any regular or special session of the legislature shall be
27 increased on the effective date of any such pay plan increase by an amount
28 computed by multiplying the average of the percentage increases in all
29 steps of such pay plan by the rate of compensation per calendar day which
30 is authorized by this section for service at any regular or special session of
31 the legislature for the day upon which such increase is computed.

32 (f) Whenever the rates of compensation of the pay plan for persons in
33 the classified service under the Kansas civil service act are increased for
34 payroll periods chargeable to fiscal years commencing after June 30, 2009,
35 the allowance provided for each member of the legislature by subsection
36 (c) to defray expenses incurred between sessions of the legislature for
37 postage, telephone, office and other incidental expenses for each of the
38 two-week periods specified by subsection (c) shall be increased on the
39 effective date of any such pay plan increase by an amount computed by
40 multiplying the average of the percentage increases in all steps of such pay
41 plan by the allowance provided to defray such expenses for each such two-
42 week period as provided by this section.

43 Sec. 3. K.S.A. 46-137e is hereby amended to read as follows: 46-

1 137e. (a) The officers specified in K.S.A. 46-137b, and amendments
2 thereto, shall, in addition to all other compensation and expense
3 allowances authorized by law, receive compensation at the rate specified in
4 ~~clause (a) of K.S.A. 75-3212(a), and amendments thereto, per calendar~~
5 *day for service at any special session* and subsistence allowances at the
6 rates specified in ~~clauses (b) and (c) of K.S.A. 75-3212(b) and (c), and~~
7 *amendments thereto*, for each day (or part thereof), in the performance of
8 the duties of their respective offices in Topeka and in addition thereto the
9 mileage allowance specified in ~~clause (d) of said K.S.A. 75-3212(d), and~~
10 *amendments thereto*.

11 (b) When authorized by the legislative coordinating council to attend
12 to any legislative business in Topeka when the legislature is not in session,
13 members of the legislature not specified in subsection (a) ~~of this section~~
14 shall, in addition to all other compensation and expenses authorized by
15 law, receive compensation, subsistence and mileage allowances in the
16 amounts specified in K.S.A. 75-3212, *and amendments thereto*.

17 (c) No compensation or subsistence or mileage allowances shall be
18 paid under this section for any day that a member is entitled to receive
19 compensation under K.S.A. 46-137a or ~~K.S.A. 75-3212, and amendments~~
20 *thereto*.

21 Sec. 4. K.S.A. 75-3212 is hereby amended to read as follows: 75-
22 3212. In addition to amounts authorized under K.S.A. 46-137a, 46-137b
23 and 46-137e, and amendments thereto, members of the senate and the
24 house of representatives of the state and other persons or officers of
25 various committees, delegations, subcommittees, boards, commissions and
26 councils referred to in this act shall be paid compensation and travel
27 expenses and subsistence expenses or allowance for such service as
28 follows: (a) A per diem compensation of ~~thirty-five dollars (\$35)~~
29 day of actual attendance at authorized in-state or out-of-state meetings
30 except that members of the senate and the house of representatives shall
31 receive per diem compensation therefor in the amount prescribed under
32 ~~subsection (a) of K.S.A. 46-137a or any(a), and amendments thereto, for~~
33 *service at any special session*; (b) the sum specified in ~~subsection (b) of~~
34 ~~K.S.A. 46-137a or any(b), and amendments thereto, for subsistence~~
35 allowance per any day or part thereof spent in actual attendance at any
36 such in-state meeting; (c) for any day, or part thereof, other than the day of
37 the meeting, the sum specified in ~~subsection (b) of K.S.A. 46-137a or~~
38 ~~any(b), and amendments thereto, for subsistence allowance incurred in~~
39 going to and returning from such in-state meetings, provided such person
40 resides more than ~~one hundred (100)~~ miles from the location of the
41 meeting; (d) the mileage rate authorized by K.S.A. 75-3203a ~~or any, and~~
42 amendments thereto, for each mile actually traveled by the usual route in
43 going to and returning from the place where an authorized in-state meeting

1 is held; and (e) the sum specified in K.S.A. 46-137a, and ~~any~~ amendments
2 thereto, for subsistence allowance per day or part thereof while attending
3 and going to and from any out-of-state meeting authorized by the
4 chairperson or the rules of the commission, committee or council, or as
5 otherwise authorized in accordance with this act or if the actual
6 subsistence expenses of such officer are in excess of the allowance
7 prescribed such officer shall be entitled to be reimbursed for such officer's
8 actual subsistence expenses incurred while attending such out-of-state
9 meeting. Such officers shall also be entitled to mileage allowances at the
10 rate authorized by K.S.A. 75-3203a ~~or any~~, and amendments thereto, for
11 each mile actually traveled by the usual route in going to and returning
12 from the place of any such out-of-state meetings if private conveyance is
13 used, or actual transportation cost if private conveyance is not used. *No*
14 *legislator shall receive compensation under this section during any*
15 *regular legislative session.* No legislator shall receive compensation under
16 this section during any *special* legislative session, except when the
17 legislature is adjourned for a period of more than two days, Sundays
18 excepted. No legislator shall receive subsistence expenses or allowances
19 under this section for attendance at any in-state meeting during any
20 legislative session or for which subsistence expenses or allowances are
21 authorized under the provisions of K.S.A. 46-137e, *and amendments*
22 *thereto.* The total of both subsistence expenses and allowances allowed
23 under this section during a legislative session and subsistence allowances
24 allowed under K.S.A. 46-137a, *and amendments thereto,* during such
25 session shall be limited to the amount equal to the combined total actual
26 subsistence expenses incurred in Topeka and in out-of-state travel. The
27 provisions of the third sentence of K.S.A. 75-4606, *and amendments*
28 *thereto,* shall not apply to any legislator, and any legislator may use a
29 privately owned motor vehicle and receive reimbursement for mileage at
30 the rate provided in K.S.A. 75-3203a, and amendments thereto, whether
31 traveling under authority of such statute or this act.

32 Sec. 5. K.S.A. 46-137e, 46-157 and 75-3212 and K.S.A. 2015 Supp.
33 46-137a are hereby repealed.

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