

## HOUSE BILL No. 2429

By Representatives Lane, Burroughs, Kirk, Kuether, Ruff, Ruiz and B. Sharp

2-9

---

10 AN ACT concerning salaries and compensation for state officers and em-  
11 ployees; making and concerning appropriations for the fiscal year end-  
12 ing June 30, 2005; amending K.S.A. 40-102, 46-137a and 46-137b and  
13 K.S.A. 2004 Supp. 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and  
14 75-3111a and repealing the existing sections.  
15

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

17 New Section 1. (a) The governor is hereby authorized to modify the  
18 pay plan for fiscal year 2006 in accordance with this subsection and to  
19 adopt such pay plan as so modified. The existing pay plan for fiscal year  
20 2006 shall be modified to provide for an increase of 3% in the pay rates  
21 of such pay plan. The pay plan adopted by the governor under this sub-  
22 section shall be the pay plan for the classified service under the Kansas  
23 civil service act and shall be effective on the first day of the first biweekly  
24 payroll period which is chargeable to the fiscal year ending June 30, 2006.  
25 Such pay plan shall be subject to modification and approval as provided  
26 under K.S.A. 75-2938 and amendments thereto and to any enactment of  
27 the legislature applicable thereto.

28 (b) (1) The governor is hereby authorized to modify or authorize the  
29 modification of the salaries of state officers and employees who are in the  
30 unclassified service under the Kansas civil service act and whose salaries  
31 are subject to approval by the governor under K.S.A. 75-2935b or 75-  
32 2935c and amendments thereto to provide for base salary increases, to  
33 be effective on the first day of the first payroll period which is chargeable  
34 to the fiscal year ending on June 30, 2006, and to be distributed from a  
35 salary increase pool, the average of such increases shall not exceed 3% of  
36 the base salaries of such officers and employees.

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

1 corporation or board, who are in the unclassified service under the Kansas  
2 civil service act and whose salaries are not subject to approval by the  
3 governor under K.S.A. 75-2935b and amendments thereto, to provide for  
4 base salary increases to be effective on the first day of the first payroll  
5 period which is chargeable to the fiscal year ending June 30, 2006, and  
6 to be distributed from a salary increase pool, the average of such increases  
7 shall not exceed 3% of the base salaries of such officers and employees  
8 of such official, corporation or board. The provisions of this subsection  
9 (b)(2) shall not authorize or provide any salary increase for the governor,  
10 lieutenant governor, secretary of state, state treasurer, commissioner of  
11 insurance, or attorney general, or for any member of any state board,  
12 commission, council or committee receiving per diem compensation as  
13 provided by statute.

14 New Sec. 2. (a) There is hereby appropriated for the state finance  
15 council from the state general fund for the fiscal year ending June 30,  
16 2006, the sum of \$25,496,692 to be used for the purpose of paying the  
17 proportionate share of the cost to the state general fund of: (1) The salary  
18 increases which are provided for by modification of the pay plan for state  
19 officers and employees in the classified service under the Kansas civil  
20 service act to provide for an increase of 3% in the pay rates of such pay  
21 plan for biweekly pay periods which are chargeable to the fiscal year  
22 ending June 30, 2006; and (2) the salary increases for state officers and  
23 employees in the unclassified service under the Kansas civil service act  
24 which are provided for in subsection (b)(1) and subsection (b)(2) of sec-  
25 tion 1.

26 (b) To pay the proportionate share of the cost to the state general fund  
27 of each state agency for the salary increases specified in subsection (a),  
28 including associated employer contributions,  
29 upon recommendation of the director of the budget, the state finance  
30 council, acting on this matter which is hereby characterized as a matter  
31 of legislative delegation and subject to the guidelines prescribed in sub-  
32 section (c) of K.S.A. 75-3711c and amendments thereto, except paragraph  
33 (3) of such subsection (c), is hereby authorized to approve the transfer of  
34 moneys from the appropriation under subsection (a) by the director of  
35 accounts and reports, who is hereby authorized and directed to make  
36 such transfers in accordance with such approval, to the proper accounts  
37 created by state general fund appropriations for the fiscal year ending  
38 June 30, 2006.

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

1 increases in expenditure limitations on special revenue funds and ac-  
 2 counts established for the fiscal year ending June 30, 2006, by the director  
 3 of accounts and reports, who is hereby authorized and directed to increase  
 4 expenditure limitations on such special revenue funds and accounts in  
 5 accordance with such approval, for the purpose of paying from such funds  
 6 or accounts the proportionate share of the cost to such funds or accounts,  
 7 including associated employer contributions, of the salary increases spec-  
 8 ified in subsection (a) for the fiscal year ending June 30, 2006.

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

17 New Sec. 3.

18 **LEGISLATIVE COORDINATING COUNCIL**

19 (a) There is appropriated for the above agency from the state general  
 20 fund for the fiscal year ending June 30, 2006, the following:

21 Legislative coordinating council — operations .....	\$19,316
22 Legislative research department — operations.....	\$78,890
23 Office of revisor of statutes — operations .....	\$57,596

24 New Sec. 4.

25 **LEGISLATURE**

26 (a) There is appropriated for the above agency from the state general  
 27 fund for the fiscal year ending June 30, 2006, the following:

28 Operations (including official hospitality) .....	\$187,422
--	-----------

29 New Sec. 5.

30 **DIVISION OF POST AUDIT**

31 (a) There is appropriated for the above agency from the state general  
 32 fund for the fiscal year ending June 30, 2006, the following:

33 Operations (including legislative post audit committee)....	\$45,734
--	----------

34 New Sec. 6.

35 **JUDICIAL BRANCH**

36 (a) There is appropriated for the above agency from the state general  
 37 fund for the fiscal year ending June 30, 2006, the following:

38 Judiciary operations .....	\$2,666,830
-------------------------------	-------------

39 Sec. 7. On June 5, 2005, K.S.A. 40-102 is hereby amended to read as  
 40 follows: 40-102. There is hereby established a department to be known  
 41 as the insurance department, which shall have a chief officer entitled the  
 42 commissioner of insurance who shall receive, except as otherwise pro-  
 43 vided in K.S.A. 75-3111a and amendments thereto, a salary at a biweekly

1 pay rate of ~~\$2,648.45~~ \$3,116.94, and such officer shall be charged with  
2 the administration of all laws relating to insurance, insurance companies  
3 and fraternal benefit societies doing business in this state, and all other  
4 duties which are or may be imposed upon such officer by law.

5 Sec. 8. On June 5, 2005, K.S.A. 46-137a is hereby amended to read as  
6 follows: 46-137a. In addition to the compensation provided for by K.S.A.  
7 46-137b, 46-137e and 75-3212 and amendments thereto, each member  
8 of the legislature shall receive the following amounts:

9 (a) The sum of ~~\$72.06~~ \$83.54 per calendar day for service at any regular  
10 or special session, except as otherwise provided in subsection (e);

11 (b) the sum of ~~\$80~~ \$91 per calendar day for subsistence allowance for  
12 any regular or special session of the legislature, except that if the amounts  
13 allowable for the capital city of Kansas under applicable federal law and  
14 regulations to employees of the executive branch of the federal govern-  
15 ment for per diem expenses, while away from home but serving in the  
16 United States, are amounts which total greater than \$80, then each mem-  
17 ber of the legislature shall receive such greater total amount per calendar  
18 day for subsistence allowance for any regular or special session of the  
19 legislature;

20 (c) an allowance of ~~\$270~~ \$324 for the two-week period which coincides  
21 with the first biweekly payroll period commencing in April and for each  
22 of the 19 ensuing two-week periods thereafter, to defray expenses in-  
23 curred between sessions of the legislature for postage, telephone, office  
24 and other incidental expenses;

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

39 (e) whenever the rates of compensation of the pay plan for persons in  
40 the classified service under the Kansas civil service act are increased for  
41 payroll periods chargeable to fiscal years commencing after June 30, ~~1999~~  
42 2006, the rate of compensation per calendar day for members of the  
43 legislature for service at any regular or special session of the legislature

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

7 Sec. 9. On June 5, 2005, K.S.A. 46-137b is hereby amended to read as  
8 follows: 46-137b. (a) In addition to the compensation provided for by  
9 K.S.A. 46-137a and 75-3212 and amendments thereto, and any other stat-  
10 ute, and except as otherwise provided by subsection (b):

11 (1) The president of the senate and the speaker of the house of rep-  
12 resentatives shall each receive an allowance at a biweekly pay rate of  
13 ~~\$438.82~~ \$508.81 during their terms of office as speaker and president,  
14 which compensation shall be for additional services performed in con-  
15 nection with discharging the duties assigned to the respective positions;

16 (2) the speaker pro tem of the house of representatives, the vice pres-  
17 ident of the senate, the assistant majority leaders of the senate and house  
18 of representatives and the assistant minority leaders of the senate and  
19 house of representatives shall each receive an allowance at a biweekly pay  
20 rate of ~~\$223.97~~ \$259.69 during their respective terms of office which  
21 compensation shall be for additional services performed in connection  
22 with discharging the duties assigned to the respective positions;

23 (3) the chairperson of the senate committee on ways and means and  
24 the chairperson of the house committee on appropriations shall each re-  
25 ceive an allowance at a biweekly pay rate of ~~\$352.89~~ \$409.18 during their  
26 respective terms of office, which compensation shall be for additional  
27 services performed in connection with discharging the duties assigned to  
28 the respective positions; and

29 (4) the majority and minority leaders of the senate and the house of  
30 representatives shall each receive an allowance at a biweekly pay rate of  
31 ~~\$395.89~~ \$459.03 during their respective terms of office, which compen-  
32 sation shall be for additional services performed in connection with dis-  
33 charging the duties assigned to the respective positions.

34 (b) Whenever the rates of compensation of the pay plan for persons in  
35 the classified service under the Kansas civil service act are increased for  
36 payroll periods chargeable to fiscal years commencing after June 30, ~~1999~~  
37 2006, the biweekly pay rate of officers of the legislature specified in sub-  
38 section (a) shall be increased on the effective date of any such pay plan  
39 increase by an amount computed by multiplying the average of the per-  
40 centage increases in all steps of such pay plan by the biweekly pay rate  
41 of such officers which is being received as provided by law and which is  
42 in effect prior to the effective date of such pay plan increase.

43 Sec. 10. On June 5, 2005, K.S.A. 2004 Supp. 75-3101 is hereby

1 amended to read as follows: 75-3101. Except as otherwise provided in  
2 K.S.A. 75-3111a and amendments thereto, the governor of the state shall  
3 receive for services a salary at a biweekly pay rate of ~~\$3,409.22~~ \$4,012.83.

4 Sec. 11. On June 5, 2005, K.S.A. 2004 Supp. 75-3103 is hereby  
5 amended to read as follows: 75-3103. (a) The lieutenant governor shall  
6 receive, as reimbursement for expenses the following: (1) Biweekly the  
7 sum of ~~\$72.12~~ \$83.54, and (2) when attending the duties of office or  
8 attending any authorized meeting, in addition to other provisions of this  
9 section, travel expenses and subsistence expenses and allowances in  
10 amounts equal to those provided for by K.S.A. 75-3212 and amendments  
11 thereto.

12 In addition to any other compensation provided by law and except as  
13 otherwise provided in K.S.A. 75-3111a and amendments thereto, the lieu-  
14 tenant governor shall also receive for services in the performance of duties  
15 imposed by law compensation at the biweekly pay rate of ~~\$964.29~~  
16 \$1,134.86. While acting as governor, the lieutenant governor shall receive  
17 the same salary as the governor. The lieutenant governor may appoint an  
18 administrative assistant and office and stenographic employees, all of  
19 whom shall be in the unclassified service of the Kansas civil service act.  
20 Such administrative assistant shall receive travel expenses and subsistence  
21 expenses or allowances as provided by K.S.A. 75-3212 and amendments  
22 thereto when traveling as authorized by the lieutenant governor.

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

27 Sec. 12. On June 5, 2005, K.S.A. 2004 Supp. 75-3104 is hereby  
28 amended to read as follows: 75-3104. Except as otherwise provided in  
29 K.S.A. 75-3111a and amendments thereto, the secretary of state shall  
30 receive for services a salary at a biweekly pay rate of ~~\$2,648.45~~ \$3,116.94.

31 Sec. 13. On June 5, 2005, K.S.A. 2004 Supp. 75-3108 is hereby  
32 amended to read as follows: 75-3108. Except as otherwise provided in  
33 K.S.A. 75-3111a and amendments thereto, the state treasurer shall re-  
34 ceive for services a salary at a biweekly pay rate of ~~\$2,648.45~~ \$3,116.94.

35 Sec. 14. On June 5, 2005, K.S.A. 2004 Supp. 75-3110 is hereby  
36 amended to read as follows: 75-3110. Except as otherwise provided in  
37 K.S.A. 75-3111a and amendments thereto, the attorney general shall re-  
38 ceive for services a salary at a biweekly pay rate of ~~\$3,045.64~~ \$3,584.40.

39 Sec. 15. On June 5, 2005, K.S.A. 2004 Supp. 75-3111a is hereby  
40 amended to read as follows: 75-3111a. Whenever the rates of compen-  
41 sation of the pay plan for persons in the classified service under the Kansas  
42 civil service act are increased for payroll periods chargeable to fiscal years  
43 commencing after June 30, ~~1999~~ 2006, the salary of the governor, the

1 lieutenant governor, the attorney general, the secretary of state, the state  
2 treasurer and the commissioner of insurance shall be increased by an  
3 amount computed by multiplying the average of the percentage increases  
4 in all steps of such pay plan by the salary of the elected state officer which  
5 is being received as provided by law and which is in effect prior to the  
6 effective date of such increase in the rates of compensation of the pay  
7 plan for persons in the classified service under the Kansas civil service  
8 act.

9       Sec. 16. On June 5, 2005, K.S.A. 40-102, 46-137a and 46-137b and  
10 K.S.A. 2004 Supp. 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and 75-  
11 3111a are hereby repealed.

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