

HOUSE BILL No. 2069

By Representative Otto

1-23

9 AN ACT concerning state government; relating to compensation of leg-
10 islators; providing for a reduction in hours of work for certain executive
11 branch positions; concerning nonessential state owned buildings;
12 amending K.S.A. 2008 Supp. 46-137a and repealing the existing
13 section.

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

16 Section 1. K.S.A. 2008 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
19 of the legislature shall receive the following amounts:

20 (a) The sum of \$88.66 per calendar day for service at any regular or
21 special session, except as otherwise provided in ~~subsection~~ *subsections (e)*
22 *and (g)*;

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

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

37 (d) an allowance for mileage in an amount equal to the rate per mile
38 prescribed under the provisions of K.S.A. 75-3203a, and amendments
39 thereto, multiplied by the number of miles traveled by the usual route in
40 going to and returning from the member's place of residence for any
41 regular or special session of the legislature. Such mileage allowances shall
42 be paid for not to exceed the equivalent of one trip for each full week
43 occurring between convening and adjournment sine die in any regular or

1 special session. The mileage allowance provided under the provisions of
2 this subsection shall not be subject to the restrictions relating to the use
3 of vehicles prescribed by K.S.A. 75-3203 and 75-3203a, and amendments
4 thereto, but shall only be allowed for trips actually made. Compensation
5 and subsistence allowance shall not be allowed under the provisions of
6 subsections (a) and (b) of this section during any period in which the
7 legislature is adjourned for more than two days, Sundays excepted; ~~and~~
8 (e) whenever the rates of compensation of the pay plan for persons
9 in the classified service under the Kansas civil service act are increased
10 for payroll periods chargeable to fiscal years commencing after June 30,
11 2009, the rate of compensation per calendar day for members of the
12 legislature for service at any regular or special session of the legislature
13 shall be increased on the effective date of any such pay plan increase by
14 an amount computed by multiplying the average of the percentage in-
15 creases in all steps of such pay plan by the rate of compensation per
16 calendar day which is authorized by this section for service at any regular
17 or special session of the legislature for the day upon which such increase
18 is computed;:
19 (f) whenever the rates of compensation of the pay plan for persons
20 in the classified service under the Kansas civil service act are increased
21 for payroll periods chargeable to fiscal years commencing after June 30,
22 2009, the allowance provided for each member of the legislature by sub-
23 section (c) to defray expenses incurred between sessions of the legislature
24 for postage, telephone, office and other incidental expenses for each of
25 the two-week periods specified by subsection (c) shall be increased on
26 the effective date of any such pay plan increase by an amount computed
27 by multiplying the average of the percentage increases in all steps of such
28 pay plan by the allowance provided to defray such expenses for each such
29 two-week period as provided by this section; *and*
30 (g) *notwithstanding the provisions of subsections (a) and (e), the sum*
31 *of \$79.80 per calendar day for service at any regular or special session*
32 *between the effective date of this act and June 30, 2010.*
33 New Sec. 2. (a) In order to assist in addressing the shortage of funds
34 for state government, the governor shall implement for fiscal year 2010
35 a program for the reduction in payroll costs for state agencies in accord-
36 ance with this section. After the effective date of this act, the governor is
37 encouraged to also implement the provisions of this section for the re-
38 mainder of fiscal year 2009.
39 (b) In consultation with the heads of state agencies, the governor shall
40 categorize each position in the executive branch of state government as
41 an “essential” or “nonessential” position, as determined by the governor.
42 The workweek hours of work for persons in each nonessential position
43 shall be reduced to four workdays of nine hours each and the compen-

1 sation therefor shall be reduced by an equal percentage. For nonessential
2 positions that are:

- 3 (1) Currently less than full-time positions; or
4 (2) have a workweek schedule other than five eight-hour days, a pro-
5 portional reduction in hours of work shall be implemented.

6 The reduction in hours of work and compensation specified by this
7 section shall be for fiscal year 2010.

8 (c) In order to better address the needs of citizens and agencies' work
9 loads, the governor may from time-to-time change the categorization of
10 essential and nonessential positions.

11 (d) Group health care benefits and costs, sick and vacation leave and
12 Kansas public employees retirement plans shall not be affected by the
13 reduction in hours provided by this section. The employing state agency
14 shall pay the employee contribution for the Kansas public employee re-
15 tirement payments attributable to the reduction in hours provided by this
16 section.

17 (e) The reduction in hours provided by this section shall not be sub-
18 ject to K.S.A. 75-4321 et seq., and amendments thereto.

19 (f) In January 2010, the director of the budget shall provide the house
20 committee on appropriations and the senate ways and means committee
21 a report regarding the utilization of reduced hours made pursuant to this
22 section. Such report shall include an estimate of the amount of expend-
23 iture reductions for the fiscal year that are attributable to this section and
24 such other information as the director of the budget deems pertinent.

25 New Sec. 3. In consultation with the heads of state agencies, the
26 governor shall identify state-owned buildings used by the executive
27 branch that are nonessential as determined by the governor. Any such
28 building may be closed or otherwise limited in use in order to realize a
29 reduction in operating costs of any such building.

30 New Sec. 4. The secretary of administration is authorized to adopt
31 rules and regulations deemed necessary for the proper administration of
32 this act.

33 Sec. 5. K.S.A. 2008 Supp. 46-137a is hereby repealed.

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