

HOUSE BILL No. 2648

By Representatives Davis, Ballard, T. Brown, Carlin, Crow, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Furtado, Garcia, D. Gatewood, S. Gatewood, Goyle, Grant, Hawk, Kuether, Lane, Long, Lukert, Mah, Maloney, McCray-Miller, Meier, Menghini, Neighbor, Palmer, Pauls, Peterson, Phelps, Rardin, Slattery, D. Svaty, Swenson, Talia, Tietze, Trimmer, Ward, Wetta and Williams

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14 AN ACT concerning the legislature; providing for certain efficiencies and
15 limitations and other restrictions on operating expenditures, including
16 expenditures for capital outlay; expenditures for computers and other
17 information technology products and services; prohibiting an increase
18 in the rate of per diem compensation for legislators; amending K.S.A.
19 2009 Supp. 46-137a and repealing the existing section.
20

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

22 New Section 1. (a) During the period commencing on the effective
23 date of this act and ending on June 30, 2012, no contract shall be entered
24 into, no existing contract shall be extended and no options under any
25 existing contract shall be exercised to purchase or lease-purchase any new
26 computers for use by the legislature or any agency of the legislative branch
27 of state government, except as otherwise provided by this subsection. The
28 provisions of this subsection shall not apply to the purchase or other
29 acquisition of any computer equipment or other information technology
30 parts or adjunct hardware or other equipment to repair or otherwise
31 maintain existing computers and other information technology systems
32 by the legislature or any agency of the legislative branch in order to main-
33 tain the existing level of functionality for such existing computers and
34 systems in existence on the day preceding the effective date of this act.

35 (b) (1) On the effective date of this act, the legislative coordinating
36 council shall terminate all activity under all existing contracts entered into
37 by the legislative coordinating council for software programming and devel-
38 opment of new software for bill drafting, decision support and chamber
39 automation functions for the legislature and legislative agencies under the
40 Kansas legislative information system and services (KLISS) project. The
41 provisions of this subsection shall not apply to the purchase, license or
42 other fees for use or maintenance of existing computer software in use
43 by the legislature or any agency of the legislative branch in order to main-

1 tain the existing level of functionality for such existing computer software
2 installed and in use on the day preceding the effective date of this act.

3 (2) No moneys appropriated to any state agency, as defined by K.S.A.
4 75-3701, and amendments thereto, shall be expended for any contract for
5 software programming and development of new software for bill drafting,
6 decision support and chamber automation functions for the legislature
7 and legislative agencies under the Kansas legislative information system
8 and services (KLISS) project nor shall the funds of any agency of state
9 government be utilized for such purpose. It is the intent of this subsection
10 (b) to invoke and exercise the “termination for fiscal necessity” or the
11 “termination due to lack of funding appropriation” clause of each such
12 contract entered into by the legislative coordinating council.

13 (c) During the period commencing on the effective date of this act
14 and ending on June 30, 2012, no moneys appropriated from the state
15 general fund or any special revenue fund for the fiscal years ending June
16 30, 2010, June 30, 2011 or June 30, 2012, to the legislature or any agency
17 of the legislative branch shall be expended for the purchase or lease of
18 any new computers for the legislature or any agency of the legislative
19 branch nor shall any other funds of any agency of state government be
20 utilized for such purpose.

21 Sec. 2. K.S.A. 2009 Supp. 46-137a is hereby amended to read as
22 follows: 46-137a. In addition to the compensation provided for by K.S.A.
23 46-137b, 46-137e and 75-3212, and amendments thereto, each member
24 of the legislature shall receive the following amounts:

25 (a) *The sum of \$84.23 per calendar day for service at any regular or*
26 *special session during the period commencing on the effective date of this*
27 *act and ending on June 30, 2010, and, after June 30, 2010, the sum of*
28 *\$88.66 per calendar day for service at any regular or special session, except*
29 *as otherwise provided in subsection (e);*

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

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

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

15 (e) whenever the rates of compensation of the pay plan for persons
16 in the classified service under the Kansas civil service act are increased
17 for payroll periods chargeable to fiscal years commencing after June 30,
18 ~~2009~~ 2012, the rate of compensation per calendar day for members of
19 the legislature for service at any regular or special session of the legislature
20 shall be increased on the effective date of any such pay plan increase by
21 an amount computed by multiplying the average of the percentage in-
22 creases in all steps of such pay plan by the rate of compensation per
23 calendar day which is authorized by this section for service at any regular
24 or special session of the legislature for the day upon which such increase
25 is computed. *There is hereby established a moratorium on any increase*
26 *in the rate of compensation per calendar day as provided by this section*
27 *for members of the legislature for service at any regular or special session*
28 *of the legislature for the period commencing on the effective date of this*
29 *act and ending on June 30, 2012.*

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

41 Sec. 3. K.S.A. 2009 Supp. 46-137a is hereby repealed.

42 Sec. 4. This act shall take effect and be in force from and after its
43 publication in the Kansas register.