

HOUSE BILL No. 2449

By Committee on Appropriations

3-7

1 AN ACT concerning boards and commissions; relating to the per diem
2 compensation of members of such boards and commissions; amending
3 K.S.A. 75-3212 and 75-3223 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 75-3212 is hereby amended to read as follows: 75-
7 3212. In addition to amounts authorized under K.S.A. 46-137a, 46-137b
8 and 46-137e, and amendments thereto, members of the senate and the
9 house of representatives of the state and other persons or officers of
10 various committees, delegations, subcommittees, boards, commissions and
11 councils referred to in this act *or who are provided by law to receive*
12 *compensation, subsistence, mileage or other expenses as provided in this*
13 *section* shall be paid compensation and travel expenses and subsistence
14 expenses or allowance for such service as follows: (a) A per diem
15 compensation of ~~thirty-five dollars (\$35)~~ for each day of actual attendance
16 at authorized in-state or out-of-state meetings ~~except that members of the~~
17 ~~senate and the house of representatives shall receive per diem~~
18 ~~compensation therefor~~ in the amount prescribed under ~~subsection (a) of~~
19 ~~K.S.A. 46-137a or any(a), and~~ amendments thereto; (b) the sum specified
20 in ~~subsection (b) of~~ K.S.A. 46-137a ~~or any(b), and~~ amendments thereto,
21 for subsistence allowance per any day or part thereof spent in actual
22 attendance at any such in-state meeting; (c) for any day, or part thereof,
23 other than the day of the meeting, the sum specified in ~~subsection (b) of~~
24 ~~K.S.A. 46-137a or any(b), and~~ amendments thereto, for subsistence
25 allowance incurred in going to and returning from such in-state meetings,
26 provided such person resides more than ~~one hundred (100)~~ miles from the
27 location of the meeting; (d) the mileage rate authorized by K.S.A. 75-
28 3203a ~~or any, and~~ amendments thereto, for each mile actually traveled by
29 the usual route in going to and returning from the place where an
30 authorized in-state meeting is held; and (e) the sum specified in K.S.A. 46-
31 137a, ~~and any~~ amendments thereto, for subsistence allowance per day or
32 part thereof while attending and going to and from any out-of-state
33 meeting authorized by the chairperson or the rules of the commission,
34 committee or council, or as otherwise authorized in accordance with this
35 act or if the actual subsistence expenses of such officer are in excess of the
36 allowance prescribed such officer shall be entitled to be reimbursed for

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

24 Sec. 2. K.S.A. 75-3223 is hereby amended to read as follows: 75-
25 3223. (a) Whenever it is provided by law that a member of a board is to
26 receive compensation as provided in this section, such member shall be
27 paid per diem compensation ~~of thirty-five dollars (\$35) as provided in~~
28 *K.S.A. 75-3212, and amendments thereto*, for each day of actual
29 attendance at any meeting of such board or any subcommittee meeting
30 authorized by such board. No per diem compensation shall be paid under
31 this section to salaried state officers or employees except that, whenever a
32 member of the legislature is a member of a board ~~he or she~~, *such legislator*
33 shall receive compensation as provided in K.S.A. 75-3212, and
34 amendments thereto.

35 (b) Whenever it is provided by law that a member of a board is to be
36 paid subsistence allowances as provided in this section, such member shall
37 be paid subsistence allowances as provided in K.S.A. 75-3207, *and*
38 *amendments thereto*, unless such member is also a member of the
39 legislature, in which case such member shall be paid subsistence
40 allowances as provided in K.S.A. 75-3212, and amendments thereto.

41 (c) Whenever it is provided by law that a member of a board shall be
42 paid mileage as provided in this section, such member shall be paid the
43 mileage rate prescribed under K.S.A. 75-3203a and amendments thereto

1 for miles actually traveled in going to and returning from a meeting of
2 such board~~), or any subcommittee meeting authorized by such board),~~
3 computed in accordance with rules and regulations of the secretary of
4 administration adopted under K.S.A. 75-3207, *and amendments thereto*.

5 (d) Whenever it is provided by law that a member of a board shall be
6 paid expenses~~), in addition to mileage and subsistence),~~ such member
7 shall be paid actual and necessary expenses incurred in performing ~~his or~~
8 ~~her~~ *the* statutory duties as such member in accordance with K.S.A. 75-
9 3203, and amendments thereto, and K.S.A. 75-3207, *and amendments*
10 *thereto*, and rules and regulations of the secretary of administration
11 adopted under K.S.A. 75-3207, *and amendments thereto*.

12 (e) Whenever it is provided by law that members of a board shall
13 receive amounts provided for in this subsection ~~(e) of K.S.A. 75-3223 and~~
14 ~~amendments thereto~~, such members shall receive subsistence allowances
15 as provided in K.S.A. 75-3207 and amendments thereto, mileage at the
16 rate prescribed under K.S.A. 75-3203a, and amendments thereto, and other
17 actual and necessary expenses incurred in performing ~~his or~~ ~~her~~ *the*
18 statutory duties as such member in accordance with K.S.A. 75-3203, and
19 amendments thereto, and rules and regulations of the secretary of
20 administration adopted under K.S.A. 75-3207, *and amendments thereto*,
21 unless such member is a legislator, in which case such legislator shall
22 receive the compensation, subsistence allowances, mileage and other
23 expenses authorized for legislators under subsections (a), (b), (c) and (d) ~~of~~
24 ~~this section~~.

25 (f) "Board" as used in this section means any three or more public
26 officers or other persons who are given by law a joint authority.

27 Sec. 3. K.S.A. 75-3212 and 75-3223 are hereby repealed.

28 Sec. 4. This act shall take effect and be in force from and after its
29 publication in the statute book.