

## HOUSE BILL No. 2410

By Committee on Appropriations

5-3

1 AN ACT concerning Kansas racing and gaming commission; relating to  
2 meetings and compensation of members; amending K.S.A. 74-8803  
3 and repealing the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 74-8803 is hereby amended to read as follows: 74-  
7 8803. (a) There is hereby created the Kansas racing and gaming  
8 commission, consisting of five members who shall be appointed by the  
9 governor, subject to confirmation by the senate as provided by K.S.A. 75-  
10 4315b, and amendments thereto. Except as provided by K.S.A. 46-2601,  
11 and amendments thereto, no person appointed to the commission shall  
12 exercise any power, duty or function as a member of the commission until  
13 confirmed by the senate.

14 (b) Before appointing any person as a member of the commission, the  
15 governor shall cause the Kansas bureau of investigation to conduct a  
16 criminal history record check and background investigation of the person.

17 (c) The members of the commission shall meet the following  
18 qualifications:

19 (1) Each member shall be a citizen of the United States and an actual  
20 resident of Kansas at the time of appointment and during such member's  
21 term of office with the commission;

22 (2) each member shall have been a resident of Kansas for a  
23 continuous period of not less than five years immediately preceding  
24 appointment to the commission; and

25 (3) no member shall have been convicted of a felony under the laws  
26 of any state or of the United States at any time prior to appointment or  
27 during such member's term of office with the commission.

28 (d) The governor shall make appointments to the commission in such  
29 a manner that:

30 (1) Not more than three members belong to the same political party at  
31 the time of appointment and during their terms of office with the  
32 commission; and

33 (2) subject to the provisions of K.S.A. 75-4315c, and amendments  
34 thereto, each congressional district has at least one member residing in  
35 such district at the time of appointment.

36 (e) Except as provided by subsection (f), each member appointed

1 before July 1, 1995, shall be appointed for a term of three years and until a  
2 successor is appointed and confirmed. Each member appointed on or after  
3 July 1, 1995, shall be appointed for a term of four years and until a  
4 successor is appointed and confirmed.

5 (f) The terms of members who are serving on the commission on the  
6 effective date of this act shall expire on January 15, of the year in which  
7 such member's term would have expired under the provisions of this  
8 section prior to amendment by this act. Thereafter, members shall be  
9 appointed for terms of four years and until their successors are appointed  
10 and confirmed.

11 (g) A vacancy on the commission shall be filled for the unexpired  
12 term by appointment by the governor.

13 (h) The commission shall meet at such times and places within this  
14 state as the chairperson or a majority of the commission members  
15 determines. A majority of the members shall constitute a quorum for the  
16 conduct of commission business.

17 (i) The governor shall designate a member of the commission as  
18 chairperson of the commission, to serve in that capacity at the pleasure of  
19 the governor. The members of the commission annually shall elect a vice-  
20 chairperson and secretary from the membership of the commission.

21 (j) Members of the commission shall receive ~~such compensation as~~  
22 ~~determined by the governor, subject to the limitations of appropriations~~  
23 ~~therefor, and, when attending meetings of the commission, or a~~  
24 ~~subcommittee meeting thereof approved by the commission, shall be paid~~  
25 ~~subsistence allowances, mileage and other expenses as provided in K.S.A.~~  
26 ~~75-3223 and amendments thereto~~ *no compensation for performing the*  
27 *duties and functions of the commission, except that such members shall be*  
28 *paid subsistence allowances, mileage, and other expenses as provided in*  
29 *K.S.A. 75-3223, and amendments thereto, for attending no more than 12*  
30 *meetings per year.*

31 Sec. 2. K.S.A. 74-8803 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its  
33 publication in the statute book.

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