



STATE OF KANSAS

Office of the Attorney General

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER
Attorney General

January 6, 1975

Opinion No. 75- 5

Dr. Herman D. Lujan, Chairman
Advisory Committee on Mexican-
American Affairs
Department of Administration
State House
Topeka, Kansas 66612

Dear Dr. Lujan:

As chairman of the Advisory Committee on Mexican-American Affairs, you inquire concerning authority for payment of subsistence allowances, mileage and other expenses to members of the Commission. The Commission was created pursuant to ch. 208, L. 1974. Section 6 thereof states thus:

"Members of the advisory committee shall receive compensation as provided for in section 1 of 1974 House Bill 1624."

The question is raised, apparently, in view of the different language found in section 6 of ch. 200, L. 1974, an enactment establishing the Kansas Advisory Committee on Indian American Affairs, which speaks in greater detail of the authorized reimbursement to members thereof:

"Members of the advisory committee shall receive compensation, *subsistence allowances, mileage, and other expenses* as provided in section 1 of 1974 House bill 1624." [Emphasis supplied.]

The italicized items are omitted from the payments authorized to members of the Commission which you chair.

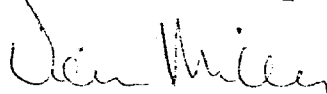
Dr. Herman D. Lujan
January 6, 1975
page two

The omission is not important, however, for separate and independent authority for such payments is provided by K.S.A. 75-3201, which commences thus:

"When the duty assignment of any state official or employee requires that he travel to points beyond his official station or regular domicile he shall be entitled, upon complying with the provisions of this act and the rules and regulations promulgated hereunder, to an allowance for subsistence and reimbursement for transportation, and other travel expenses incurred by him while in such travel status as provided in this act."

Accordingly, it is our opinion that despite the omission in section 6, ch. 208, L. 1974, payment of subsistence allowances, mileage and other expenses to members of the Commission under K.S.A. 75-3201 is authorized.

Yours very truly,



VERN MILLER
Attorney General

VM:JRM:tp

cc: James R. Cobler, Director
Division of Accounts & Reports