



STATE OF KANSAS

## Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

**Curt T. Schneider**  
Attorney General

May 5, 1976

ATTORNEY GENERAL OPINION NO. 76- 147

The Honorable Robert R. Sanders  
State Printer  
201 West Tenth  
Topeka, Kansas 66612

Re: State Officers--Deputies and Assistants--Unclassified  
Service to the State Printer

Synopsis: Any person employed as private secretary to the state printer and paid from funds lawfully available therefor, through and until June 30, 1977, is a member of the unclassified service of the state civil service. Travel expenses of the state printer incurred in the performance of official duties of the office, in advising and conferring with Kansas state officials to improve the printing services of the state, are subject to K.S.A. 1975 Supp. 75-3216.

\* \* \*

Dear Mr. Sanders:

You inquire, first, whether as an elected official you may employ a secretary in the unclassified service.

K.S.A. 1975 Supp. 75-2935 states in pertinent part thus:

"The civil service of the state of Kansas is hereby divided into the unclassified and the classified service.

(1) The unclassified service comprises positions held by state officers and employees who are:

\* \* \*

The Honorable Robert R. Sanders  
Page Two  
May 5, 1976

(c) except as herein otherwise enlarged,  
one private secretary to each of the elective  
officers of this state, and in addition there-  
to, ten (10) deputies, clerks or employees  
. . . . "

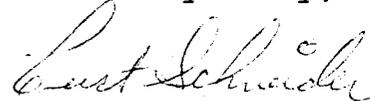
With the enactment of 1976 House Bill No. 2882, K.S.A. 1975 Supp.  
75-1001a is amended to provide in pertinent part as follows:

"The state printer elected at the general  
election in November of 1974 shall serve the  
term provided for by law ending June 30, 1977.  
The elective office of state printer is hereby  
abolished on July 1, 1977. The state printer  
shall advise and confer with state agencies and  
state government officials on matters of printing  
for the purpose of improving efficiency and  
economy and upgrading printing services of the  
state."

Thus, you remain an elected official. Any private secretary which  
you employ is, perforce, a member of the unclassified service. It  
may be, however, that there are no funds with which to employ staff  
for your office. Section 19 of 1976 House Bill No. 2925 appropriates  
from the state general fund the sum of \$18,900 to the agency of the  
state printer, which is required by the terms of the appropriation  
to be applied to the salary of that officer. If other funds are law-  
fully available for the employment of a secretary for your office,  
any person so employed would be a member of the unclassified service.

Secondly, you inquire concerning payment of travel expenses in your  
behalf. As an elected state officer, payment of travel expenses  
incurred in travel in the performance of the official duties of your  
office is subject to K.S.A. 1975 Supp. 75-3216.

Yours very truly,

  
CURT T. SCHNEIDER  
Attorney General

CTS:JRM:kj

cc: Mr. Thomas Pitner  
Chief Attorney  
Department of Administration