



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

June 2, 1975

ATTORNEY GENERAL OPINION NO. 75-236

Col. Allen Rush
Superintendent
Kansas Highway Patrol
State Office Building
Topeka, Kansas 66612

RE: State Boards, Commissions and Authorities--Kansas Highway
Patrol--Restrictions

- Synopsis: 1) Receipt and use of money obtained through the G.I. Bill for educational purposes does not conflict with K.S.A. 74-2113 if the superintendent of the Highway Patrol authorizes said activities through written permission.
- 2) Receipt and use of money obtained through Law Enforcement Education Program for educational purposes does not conflict with K.S.A. 74-2113 if the superintendent of the Highway Patrol authorizes receipt of said funds through written permission.

Dear Col. Rush:

You have inquired whether troopers on the Highway Patrol may accept money earned through the G.I. Bill or received from Law Enforcement Education Program. You asked whether to do so would be in conflict with K.S.A. 74-2113.

The applicable portion of K.S.A. 74-2113 states:

"* * * No member of the Patrol shall hold any other commission or office, elective or appointive, except in the Kansas national guard or in the organized reserve of the United States army, air force or navy, or accept any other employment while he is a member of the patrol. No member of the patrol shall accept any compensation, reward or gift other than his regular salary and expenses as herein provided except with the written permission of the superintendent. No member of the patrol, including the superintendent, shall in

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any way be active or participate in any political contest in any primary, general or special election, or participate in politics except to cast his ballot, and for any violation of this provision, the offender shall be summarily removed by the superintendent from the patrol." (K.S.A. 74-2113; L. 1973, ch. 312, § 1; L. 1974, ch. 361, § 64; July 1.)

In the quoted section, the superintendent has the authority to give written permission to members of the Highway Patrol to receive certain compensations. Therefore, as long as you, as superintendent, authorize receipt of funds from the G.I. Bill or the Law Enforcement Education Program, you would be within the purview of your authority, and would therefore not be in conflict with the above quoted section.

Very truly yours,



CURT T. SCHNEIDER
Attorney General

CTS/GFW/cgm