

# 46-235

## Chapter 46.--LEGISLATURE Article 2.--STATE GOVERNMENTAL ETHICS

**46-235. Restrictions on compensation of state officers and employees.** No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. No person shall pay or offer to pay any state officer or employee any compensation for performance of official duties, except a state officer or employee performing official duties in making payments to state officers and employees. The receipt of wages or salary from an individual's non-state employer during a period of service as a state officer or employee shall not be construed as compensation for performance of official duties.

**History:** L. 1974, ch. 353, § 21; March 28.

### **Governmental Ethics Commission Opinions:**

Kansas small business development center agents employed by regents' institutions are state employees subject to conflicts of interest and public disclosure statutes. 90-27.

Employee of registered lobbying association rendering volunteer service to governor-elect transition team; permissible under statutes. 90-30.

Whether state lottery employee can give a testimonial to manufacturer of products sold to state lottery is a decision to be made by the lottery agency; permissibility or travel expense provided by manufacturer to state employee depends on policy decision regarding testimonial. 94-26.

Rehabilitation counselor employed by state establishing private business to provide rehabilitation services during off-duty hours. 96-1.

State employee overseeing facilities to ensure compliance with agency regulations; overseeing facility that contracts with employee's privately owned business. 97-12.

State employee with duties which include teaching certain courses; compensation by others than state agency for teaching courses during off-duty hours. 97-13.

Part-time state officer or employee providing advice to private sector clients. 97-34.

"Thank you" and "holiday and special occasion" gifts; luncheons with personal friends. 97-38.

State employee acting as consultant during off-duty hours; providing services on in-state and out-of-state projects; use of information. 97-41.

State officer or employee; part-time employment during off-duty hours. 97-44.

State officer or employee providing consulting service to a private business during off-duty hours. 98-7.

State officer or employee providing consulting services to city, county and federal agencies during off-duty hours. 98-8.

Staff member of Department on Aging whose duties involve providing certain information to nursing homes; providing private consulting services to out-of-state nursing homes. 98-13.

Conflict of interest; employee of real estate commission; teaching required continuing education course. 1998-19.

Staff member of SRS with primary duties to authorize benefits for clients of department; assisting in establishing and holding position as executive director or member of board of directors of local homeless shelter. 1998-28.

State employee involved in implementation of tobacco use prevention program; compensation as private consultant by other states interested in establishing similar program. 1999-1.

Department of corrections personnel; solicitation of donations for employee wellness programs; acceptance of discounts from department store. 1999-2.

State employee interested in providing private research and consultation services. 1999-3.

Public land manager for department of wildlife and parks becoming duck hunting boat dealer. 1999-15.

State employee also employed by local community care organization; compensation for services of a type not included in duties with state department. 1999-20.

Social and rehabilitation services employee, absent certain conditions, may also be employed by community organization as therapist as part of practicum for LSCSW degree. 1999-32.

Ability of state employees to establish part-time consulting business. 1999-39.

Appraiser employed by state may perform market value appraisal of agricultural land during nonworking hours. 2000-09.

Whether state employee may accept part-time employment to satisfy counseling requirements for advanced degree. 2000-11.

Ability of state employee to accept part-time consulting work in area involving state work. 2000-31.