

MINUTES OF THE HOUSE PENSIONS AND BENEFITS COMMITTEE

The meeting was called to order by Chairperson Steven Johnson at 9:00am on Monday, March 09, 2015, 152-S of the Capitol.

All members were present

Committee staff present:

Reed Holwegner, Legislative Research Department
David Wiese, Office of Revisor of Statutes
Gordon Self, Office of Revisor of Statutes
Lea Gerard, Kansas Legislative Committee Assistant
Mark Dapp, Legislative Research Department

Conferees appearing before the Committee:

Sheriff Frank P. Denning, Johnson County Sheriff's Office
David Van Parys, Leavenworth County Counselor
Alan Conroy, Executive Director, KPERS
Clint Patty, Attorney with Frieden, Unrein, Forbes L.L.P.

Others in attendance:

[See Attached List](#)

Hearing on: SB228 — Defining police for purposes of eligibility in the Kansas police and firemen's retirement system.

Chairperson Johnson opened the hearing on **SB228** and asked David Wiese, Assistant Revisor to brief the Committee on **SB228** ([Attachment 1](#)). The bill defined in terms of Police, Policeman or Policemen who have been certified as law enforcement officers, and making contributions to the KP&F retirement system. Members meeting the definition shall not be denied KP&F benefits. Mr. Wiese stood for questions from the Committee

Mark Dapp, Fiscal Analyst, Legislative Research provided an overview of the fiscal note on **SB228**. The two different impacts to be considered are the actuarial cost to the system which would be negligible and the administrative costs would be handled within the current budget.

Proponents:

Sheriff Frank P. Denning, Johnson County Sheriff's Office, testified as a proponent of **SB228** ([Attachment 2](#)). Mr. Denning stood for questions from the Committee.

David Van Parys, Leavenworth County Counselor, testified as a proponent of **SB228** ([Attachment 3](#)). Mr. Parys stood for questions from the Committee.

A question from the Committee was deferred to Alan Conroy, Executive Director, KPERS regarding the difference concerning disability benefits between regular KPERS and KP&F. Mr. Conroy explained under Police and Fire, if the employee is disabled then the person would be eligible for disability.

CONTINUATION SHEET

MINUTES of the Committee on Pensions and Benefits at 9:00am on Monday, March 09, 2015, 152-S of the Capitol.

Under KPERS the definition is more broad in that the employee must be disabled for gainful employment.

Clint Patty, Attorney with Frieden, Unrein, Forbes L.L.P., testified as a proponent of **SB228** ([Attachment 4](#)). Mr. Patty explained that if the language and interpretation continues of this statute, there currently are two classes of sheriff officers in the State of Kansas. There are certified sheriff officers who are covered by KPERS and work primarily in the jails and certified sheriff officers assigned elsewhere who are under KP&F. In 1999, when the additional amendments were made, no one anticipated it would create two classes of positions. Mr. Patty stood for Committee questions.

Representative Ward questioned the definition of includes police, policeman and policemen but does not include policewoman. He also had a question why the bill needs to be expedited to the Kansas register.

Chairperson Johnson deferred the questions to Gordon Self, Revisor of Statutes. Mr Self explained in regard to the effective date, the policy is the standard effective date for publication in the statute book is July 01, 2015, unless through the development of the proposal an earlier date is necessary. In this case, the determination was made that an earlier date was necessary to provide clarification from the Legislature be available for existing cases that are pending. With regard to the gender question, KSA 77-201, Rules of Statutory Construction states when there is reference in the statutes to masculine gender only, it is also applicable to the feminine gender.

Mr. Conroy presented neutral testimony to **SB228** ([Attachment 5](#)). Mr. Conroy stood for questions from the Committee.

There were no other conferees to appear before the Committee.
The hearing on **SB228** was closed.

Chairperson Johnson indicated the Committee would work bill **SB228** Wednesday, March 11.

Chairperson Johnson recognized Reed Holwegner, Principal Research Analyst who provided an overview on Working after KPERS Retirement ([Attachment 6](#)).

The meeting was adjourned at 10:00 a.m.
Next meeting scheduled is Wednesday, March 11.