

MINUTES OF THE HOUSE PENSIONS AND BENEFITS COMMITTEE

The meeting was called to order by Chairperson Steven Johnson at 9:00am on Friday, March 20, 2015, 212B-N of the Capitol.

All members were present except:

Representative Daniel Hawkins – Excused

Committee staff present:

Reed Holwegner, Legislative Research Department

Gordon Self, Office of Revisor of Statutes

Lea Gerard, Kansas Legislative Committee Assistant

Mark Dapp, Legislative Research Department

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Possible action on bills previously heard

HB2253 - Extending special employment after retirement provisions under KPERS for certain retirants who are teachers.

*Representative Rhoades moved to pass **HB2253** out favorable as amended, seconded by Representative Billinger.*

*Representative Rhoades moved, seconded by Representative Jones, to amend **HB2253** by extending the sunset for one year instead of three years. The motion failed.*

*Representative Rhoades moved, seconded by Representative Jones to amend **HB2253** with a conceptual motion, as outlined in ([Attachment 1](#)), for a plan design for retirees who returned to work.*

Discussion:

Chairperson Johnson recognized Gordon Self, Revisor of Statutes, who explained the motion for a one-year sunset would change nothing but once the components of the proposal begins July 1, 2016, then the 3-year sunset would be replaced with the new concept.

The committee discussed the three-year sunset of current working after retirement and second proposed sunset for one year. Chairperson Johnson summarized the three-year sunset, essentially is a one year sunset replaced by the working after retirement proposal. If the Committee takes no action next year, this proposal would go into effect as it is. Next year the Committee would have to address or possibly repeal the proposal and let the sunset continue as it is. This would be set for one year and the one reason for expiration of this policy is to make sure it works so inaction does not lock us into a policy and the reason for one-year sunset.

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Chairperson Johnson added the amendment would not affect those workers currently working under a working after retirement arrangement and continue to work in those positions.

The motion to amend **HB2253** passed.

Representative Kelly moved, seconded by Representative Billinger, to amend **HB2253** with a conceptual motion, as outlined in (Attachment 2), which would require school districts to employee licensed professional for non-special education positions if certain conditions were met.

The local school board would be required to submit a request to the state board of education along with a certified report that details efforts taken to fill the open position with a non-retired replacement and detail why the applicant pool wasn't suitable. This position will be for a one-year period. The employer would be required to pay the actuarial rate plus 8% on the pay of the retiree's hired under this exemption.

Discussion:

Chairperson Johnson recognized Mr. Self who explained the amendment would take the non-Special Education licensed positions out of the first amendment adopted by the Committee. Licensed positions would be handled under the provisions of the pending amendment.

Representative Rhoades requested that a report be submitted yearly starting January, 2016 to the Committee from the school for the following:

- How many retirees applied for licensed professional position;
- How many applicants were accepted; and
- Reason for request of non Special Ed licensed professional position.

Mr. Self advised the report should come from the Department of Education rather than the Legislative Research Department or Revisor's Office.

Representative Kelly, with the consent of Representative Billinger, restated the motion to amend to include the provisions previously discussed. The motion passed.

Representative Rhoades moved, seconded by Representative Davis, **HB2253** be passed as amended. The motion passed.

Chairperson Johnson recognized Lea Gerard, Committee Assistant, who introduced her granddaughter, Madison Gerard, from Overland Park, Kansas who is visiting the State Capitol.

Meeting adjourned at 10:10 a.m.

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