

5
6 **HOUSE BILL No. 2507**

7
8 By Committee on Appropriations

9
10 2-14

11
12 AN ACT ~~concerning the legislature; relating to benefits and compensa-~~
13 ~~tion of employees of certain legislative agencies~~ **[retirement; relating**
14 **to participation in deferred compensation]**; amending K.S.A. 2000
15 ~~Supp. 74 4911f and repealing the existing section. relating to the tax-~~
16 ~~ation of motor fuels; amending K.S.A. 2000 Supp. 79-3492b, 79-~~
17 ~~34,118, 79-34,141 and 79-34,142, and repealing the existing~~
18 ~~sections.~~

19
20 *Be it enacted by the Legislature of the State of Kansas:*

21 ~~Section 1. K.S.A. 2000 Supp. 74 4911f is hereby amended to read as~~
22 ~~follows: 74 4911f. (a) Subject to procedures or limitations prescribed by~~
23 ~~the governor appointing authority, any person who is not an employee~~
24 ~~and who becomes a state officer may elect to not become a member of~~
25 ~~the system. The election to not become a member of the system must be~~
26 ~~filed within 90 days of assuming the position of state officer. Such election~~
27 ~~shall be irrevocable. If such election is not filed by such state officer, such~~
28 ~~state officer shall be a member of the system.~~

29 ~~— (b) — On and after the effective date of this act, any such state officer~~
30 ~~who is a member or who is eligible to be a member of the Kansas public~~
31 ~~employees retirement system, on or after the effective date of this act,~~
32 ~~may elect to not be a member by filing an election with the office of the~~
33 ~~retirement system. The election to not become a member of the system~~
34 ~~must be filed within 90 days of assuming the position of or becoming a~~
35 ~~state officer as defined by this section. If such election is not filed by such~~
36 ~~state officer, such state officer shall be a member of the system.~~

37 ~~— (c) — Subject to limitations prescribed by the secretary of administra-~~
38 ~~tion, the state agency employing any employee who has filed an election~~
39 ~~as provided under subsection (a) or (b) and who has entered into an~~
40 ~~employee participation agreement, as provided in K.S.A. 75 5524 and~~
41 ~~amendments thereto for deferred compensation pursuant to the Kansas~~
42 ~~public employees deferred compensation plan shall contribute to such~~
43 ~~plan on such employee's behalf an amount equal to 8% of the employee's~~

1 salary, as such salary has been approved pursuant to K.S.A. 75-2935b and
2 amendments thereto or as otherwise prescribed by law.

3 —(d) As used in this section and K.S.A. 74-4927k and amendments
4 thereto, “state officer” means the: (1) Secretary of administration;
5 (2) secretary on aging; (3) secretary of commerce and housing;
6 (4) secretary of corrections; (5) secretary of health and environment;
7 (6) secretary of human resources; (7) secretary of revenue; (8) sec-
8 retary of social and rehabilitation services; (9) secretary of transporta-
9 tion; (10) secretary of wildlife and parks; (11) superintendent of the
10 Kansas highway patrol; (12) secretary of agriculture; (13) executive
11 director of the Kansas lottery; (14) executive director of the Kansas
12 racing commission; (15) president of the Kansas development finance
13 authority; (16) state fire marshal; (17) state librarian; (18) securi-
14 ties commissioner; (19) adjutant general; (20) members of the state
15 board of tax appeals; (21) members of the Kansas parole board;
16 (22) members of the state corporation commission; (23) any unclas-
17 sified employee on the staff of officers of both houses of the legislature;
18 (24) any unclassified employee appointed to the governor’s or lieutenant
19 governor’s staff and; (25) any person employed by the legislative branch
20 of the state of Kansas, other than any such person receiving service cred-
21 ited under the Kansas public employees retirement system or any other
22 retirement system of the state of Kansas therefor, who elected to be
23 covered by the provisions of this section as provided in subsection (e) of
24 K.S.A. 46-1302 and amendments thereto or who is first employed on or
25 after July 1, 1996, by the legislative branch of the state of Kansas; and
26 (26) employees of the division of post audit, legislative research depart-
27 ment, office of the revisor of statutes and legislative administrative serv-
28 ices; **(27) attorney general; (28) commissioner of insurance; (29)**
29 **secretary of state; and (30) state treasurer].**

30 —(e) The provisions of this section shall not apply to any state officer
31 who has elected to remain eligible for assistance by the state board of
32 regents as provided in subsection (a) of K.S.A. 74-4925 and amendments
33 thereto.

34 —Sec. 2. K.S.A. 2000 Supp. 74-4911f is hereby repealed.

35 **Section 1. K.S.A. 2000 Supp. 79-3492b is hereby amended to**
36 **read as follows: 79-3492b. Alternatively to the methods otherwise**
37 **set forth in this act, special LP-gas permit users operating motor**
38 **vehicles on the public highways of this state may upon application**
39 **to the director on forms prescribed by the director elect to pay taxes**
40 **in advance on LP-gas for each and every motor vehicle owned or**
41 **operated by them and propelled in whole or in part with LP-gas**
42 **during the calendar year and thereafter to purchase LP-gas tax free**
43 **in lieu of securing a bonded user’s permit and filing monthly reports**

1 ***and tax payments and keeping the records otherwise provided for***
2 ***in this act. The amount of such tax for each motor vehicle shall,***
3 ***except as otherwise provided, be based upon the gross weight of the***
4 ***motor vehicle and the number of miles it was operated on the public***
5 ***highways of this state during the previous year pursuant to the fol-***
6 ***lowing schedules:***

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

1 ***In the event any additional motor vehicles equipped to use LP-gas***
2 ***as a fuel are placed in operation by a special LP-gas permit user***
3 ***after the first month of any calendar year, a tax shall become due***
4 ***and payable to this state and is hereby imposed at the tax rate pre-***
5 ***scribed herein prorated on the basis of the weight and mileage for***
6 ***the months operated in the calendar year. The director shall issue***
7 ***special permit decals for each motor vehicle on which taxes have***
8 ***been paid in advance as provided herein, which shall be affixed on***
9 ***each such vehicle in the manner prescribed by the director.***

10 ***Sec. 2. K.S.A. 2000 Supp. 79-34,118 is hereby amended to read***
11 ***as follows: 79-34,118. Upon application to the director of taxation***
12 ***and payment of the fee prescribed under this section any interstate***
13 ***motor fuel user may obtain a trip permit which will authorize one***
14 ***commercial motor vehicle to be operated within this state without***
15 ***compliance with the other provisions of the interstate motor fuel***
16 ***use act and in lieu of the tax imposed by K.S.A. 79-34,109 and***
17 ***amendments thereto. The fee for each trip permit issued under this***
18 ***section shall be \$11 until July 1, 2001, and \$11.50 until July 1, 2003,***
19 ***and \$12 until July 1, 2020, and \$10 thereafter. The secretary of***
20 ***revenue shall adopt rules and regulations specifying the conditions***
21 ***under which trip permits will be issued and providing for the issu-***
22 ***ance thereof. The secretary may designate agents or contract with***
23 ***private individuals, firms or corporations to issue such trip permits***
24 ***so that such permits will be obtainable at convenient locations.***

25 ***Sec. 3. K.S.A. 2000 Supp. 79-34,141 is hereby amended to read***
26 ***as follows: 79-34,141. (a) On and after July 1, 1999, until July 1, 2001,***
27 ***the tax imposed under this act shall be not less than:***

28 ~~*(1) On motor vehicle fuels, \$.20 per gallon, or fraction thereof;*~~

29 ~~*(2) on special fuels, \$.22 per gallon, or fraction thereof; and*~~

30 ~~*(3) on LP-gas, \$.19 per gallon, or fraction thereof.*~~

31 ~~*(b) On and after July 1, 2001, until July 1, 2003, the tax imposed*~~
32 ~~*under this act shall be not less than:*~~

33 ~~*(1) On motor vehicle fuels, \$.21 per gallon, or fraction thereof;*~~

34 ~~*(2) on special fuels, \$.23 per gallon, or fraction thereof; and*~~

35 ~~*(3) on LP-gas, \$.20 per gallon, or fraction thereof.*~~

36 ~~*(c) (a) On and after July 1, 2003 2001, until July 1, 2020, the tax*~~
37 ~~*imposed under this act shall be not less than:*~~

38 ~~*(1) On motor-vehicle fuels, \$.22 per gallon, or fraction thereof;*~~

39 ~~*(2) on special fuels, \$.24 per gallon, or fraction thereof; and*~~

40 ~~*(3) on LP-gas, \$.21 per gallon, or fraction thereof.*~~

41 ~~*(d) (b) On and after July 1, 2020, the tax rates imposed under*~~
42 ~~*this act shall be not less than:*~~

43 ~~*(1) On motor-vehicle fuels, \$.18 per gallon, or fraction thereof;*~~

1 **(2) on special fuels, \$.20 per gallon, or fraction thereof; and**

2 **(3) on LP-gas, \$.17 per gallon, or fraction thereof.**

3 **Sec. 4. K.S.A. 2000 Supp. 79-34,142 is hereby amended to read**

4 **as follows: 79-34,142.** (a) ~~On and after July 1, 1999, until July 1, 2001,~~
5 ~~the state treasurer shall credit amounts received pursuant to K.S.A. 79-~~
6 ~~3408, 79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments~~
7 ~~thereto as follows: To the state highway fund 59.55% and to the special~~
8 ~~city and county highway fund 40.45%.~~

9 ~~—(b) On and after July 1, 2001, until July 1, 2003, the state treasurer~~
10 ~~shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-~~
11 ~~3491a, 79-3492 and 79-34,118 and amendments thereto as follows: To~~
12 ~~the state highway fund 61.55% and to the special city and county highway~~
13 ~~fund 38.45%.~~

14 ~~(c)~~ (a) **On and after July 1, 2003 2001, until July 1, 2020, the**
15 **state treasurer shall credit amounts received pursuant to K.S.A. 79-**
16 **3408, 79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments**
17 **thereto as follows: To the state highway fund 63.35% and to the**
18 **special city and county highway fund 36.65%.**

19 ~~(d)~~ (b) **On and after July 1, 2020, the state treasurer shall credit**
20 **amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a,**
21 **79-3492 and 79-34,118 and amendments thereto as follows: To the**
22 **state highway fund 55.3% and to the special city and county high-**
23 **way fund 44.7%.**

24 **Sec. 5. K.S.A. 2000 Supp. 79-3492b, 79-34,118, 79-34,141 and**
25 **79-34,142 are hereby repealed.**

26 ~~Sec. 3.~~ **6.** This act shall take effect and be in force from and after its
27 publication in the statute book.

28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43