

SENATE BILL No. 349

By Committee on Ways and Means

3-6

AN ACT concerning the legislature; relating to benefits and compensation of employees of certain legislative agencies; amending K.S.A. 2000 Supp. 74-4911f and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

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

(b) Any such state officer who is a member *or who is eligible to be a member* of the Kansas public employees retirement system, on or after the effective date of this act, may elect to not be a member by filing an election with the office of the retirement system. The election to not become a member of the system must be filed within 90 days of assuming the position of *or becoming a* state officer *as defined by this section*. If such election is not filed by such state officer, such state officer shall be a member of the system.

(c) Subject to limitations prescribed by the secretary of administration, the state agency employing any employee who has filed an election as provided under subsection (a) or (b) and who has entered into an employee participation agreement, as provided in K.S.A. 75-5524 and amendments thereto for deferred compensation pursuant to the Kansas public employees deferred compensation plan shall contribute to such plan on such employee's behalf an amount equal to 8% of the employee's salary, as such salary has been approved pursuant to K.S.A. 75-2935b and amendments thereto or as otherwise prescribed by law.

(d) As used in this section and K.S.A. 74-4927k and amendments thereto, "state officer" means the: (1) Secretary of administration;; (2) secretary on aging;; (3) secretary of commerce and housing;; (4) secretary of corrections;; (5) secretary of health and environment;; (6) secretary of human resources;; (7) secretary of revenue;; (8) sec-

1 retary of social and rehabilitation services; (9) secretary of transporta-
2 tion; (10) secretary of wildlife and parks; (11) superintendent of the
3 Kansas highway patrol; (12) secretary of agriculture; (13) executive
4 director of the Kansas lottery; (14) executive director of the Kansas
5 racing commission; (15) president of the Kansas development finance
6 authority; (16) state fire marshal; (17) state librarian; (18) securi-
7 ties commissioner; (19) adjutant general; (20) members of the state
8 board of tax appeals; (21) members of the Kansas parole board;
9 (22) members of the state corporation commission; (23) any unclas-
10 sified employee on the staff of officers of both houses of the legislature;
11 (24) any unclassified employee appointed to the governor's or lieutenant
12 governor's staff and; (25) any person employed by the legislative branch
13 of the state of Kansas, other than any such person receiving service cred-
14 ited under the Kansas public employees retirement system or any other
15 retirement system of the state of Kansas therefor, who elected to be
16 covered by the provisions of this section as provided in subsection (e) of
17 K.S.A. 46-1302 and amendments thereto or who is first employed on or
18 after July 1, 1996, by the legislative branch of the state of Kansas; and
19 (26) employees of the division of post audit, legislative research depart-
20 ment, office of the revisor of statutes and legislative administrative
21 services.

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

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

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

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