

HOUSE BILL No. 2238

By Committee on Appropriations

1-25

9 AN ACT concerning retirement and pensions; relating to the Kansas po-
10 lice and firemen's retirement system; affiliation of adjutant general;
11 membership of certain firefighters; contributions.
12

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

14 Section 1. (a) (1) Notwithstanding the provisions of K.S.A. 74-4971
15 and amendments thereto, on or after the effective date of this act, the
16 adjutant general shall affiliate with the Kansas police and firemen's re-
17 tirement system established under the provisions of K.S.A. 74-4951 et
18 seq., and amendments thereto, pursuant to the provisions of this act for
19 membership in the system of firefighters serving the 190th Kansas air
20 national guard who have successfully completed airport firefighter train-
21 ing and other firefighter training required by the adjutant general, and
22 who are employed in a position which such training is required. For pur-
23 poses of such affiliation for membership in the system of such members,
24 the adjutant general shall be considered a new participating employer.
25 The adjutant general shall make application for affiliation with such sys-
26 tem in the manner provided by K.S.A. 74-4954 and amendments thereto,
27 to be effective on July 1, next following application. The adjutant general
28 shall affiliate for membership in the system of such members for partic-
29 ipating service credit.

30 (2) The adjutant general shall appropriate and pay a sum sufficient
31 to satisfy any obligations as certified by the board of trustees of the re-
32 tirement system and the employer contributions of the adjutant general
33 shall be as provided in subsection (1) of K.S.A. 74-4967, and amendments
34 thereto.

35 (b) (1) Each such firefighter serving the 190th Kansas air national
36 guard on the date of affiliation, may become a member of the Kansas
37 police and firemen's retirement system on the first day of the payroll
38 period of such member, coinciding with or following the entry date of
39 the adjutant general as provided in this section, only by filing with the
40 board of trustees of the system, on or before the entry date of the adjutant
41 general as provided in this section, a written election to become a member
42 of the system. Failure to file such written election shall be presumed to
43 be an election not to become a member of the system. Such election,

1 whether to become or not to become a member, shall be irrevocable.

2 (2) Each such firefighter who is on an authorized leave of absence or
3 is in the military service on the entry date of the adjutant general as
4 provided in this section may become a member of the Kansas police and
5 firemen's retirement system on the first day of the first payroll period of
6 such member, coinciding with such member's return to active employ-
7 ment and payroll of the adjutant general, only by filing with the board of
8 trustees of the system within 10 days after such return to active employ-
9 ment a written election to become a member of the system. Failure to
10 file such written election shall be presumed to be an election not to
11 become a member of the system. Such election, whether to become a
12 member or not to become a member, shall be irrevocable.

13 (c) Each such firefighter who first serves on or after the entry date
14 of the adjutant general into the Kansas police and firemen's retirement
15 system as provided in this section shall become a member of the Kansas
16 police and firemen's retirement system on the first day of such
17 employment.

18 (d) If the adjutant general affiliates as provided in this act, the adju-
19 tant general and each firefighter who elects to become a member as
20 provided in this act shall be subject to the provisions of K.S.A. 74-4951
21 et seq., and amendments thereto, as applicable.

22 (e) The division of the budget and the governor shall include in the
23 budget and in the budget request for appropriations for personnel serv-
24 ices the amount required to satisfy the employer's obligation under this
25 act as certified by the board of trustees of the system, and shall present
26 the same to the legislature for allowance and appropriations.

27 (f) The determination of retirement, death or disability benefits shall
28 be computed upon the basis of "credited service" as used in K.S.A. 74-
29 4951 et seq., and amendments thereto, but shall include only participating
30 service with the person's participating employer, commencing on and
31 after the effective date of affiliation by the participating employer with
32 the Kansas police and firemen's retirement system.

33 (g) As used in this section, "firefighter" means a person serving the
34 190th Kansas air national guard as a fire protection special supervisor,
35 fire protection station captain, fire protection crew chief, fire protection
36 safety trainer or fire protection specialist or a person serving in a similar
37 capacity as certified by the adjutant general.

38 Sec. 2. This act shall take effect and be in force from and after its
39 publication in the statute book.