

Approved MARCH 22, 1990
Date

MINUTES OF THE HOUSE COMMITTEE ON PENSIONS, INVESTMENTS AND BENEFITS

The meeting was called to order by Rep. Vernon L. Williams at
Chairperson

7:50 a.m./~~noon~~ XXX on March 1, 19 90 in room 531N of the Capitol.

All members were present except:

Committee staff present:

Richard Ryan, Legislative Research
Mary Meier, Committee Secretary

Others: Marshall Crowther, KPERS
Jack Hawn, KPERS

Conferees appearing before the committee:

Charles Dodson, KAPE
Basil Covey, Kansas Association of Retired Teachers
Etta Blanche Dahlgren, Kansas City Retired Teachers
Jeannie Thomas, Kansas City,

Chairman Williams asked Charles Dodson, KAPE, to make additional comments on HB2940, which was continued from February 28. Mr. Dodson distributed testimony (Attachment 1) and spoke briefly in support of the bill, which would allow an employee to utilize sick leave to remain at home with a newly adopted child. Chairman Williams asked if the definition of child was "an infant" or "older" child. Dodson replied that this was not specified in the bill. That the regulations say you can use sick leave for illness, disability, pregnancy, abortion, childbirth, and does not specify whether male or female. If a male, he could use sick leave to stay home with female family member living in the home. Stressed that the sick leave would be for a reasonable time with approval of the agency head.

There were no appearances on HB2839, however, Rep. Everhart submitted written testimony in support of the bill (Attachment 2).

Chairman Williams declared the hearing on HB2839 closed.

Chairman Williams then opened the hearing on HB3033.

Marshall Crowther spoke briefly reviewing the bills on agenda. He explained that HB3033 and HB3034 were not bills that impact KPERS because they deal with a retirement system that's authorized under statute and have been on the books for many years regarding the City of Kansas City, Kansas, for public schools. This bill covers those retirants in the system prior to 1964 or who had retired prior to that time. At two times they have had opportunities to convert to the present system of KPERS provisions. Group is diminishing group of teachers and subject to these separate provisions. There is no fiscal note attached to the bill.

Chairman Williams then introduced and welcomed Basil Covey, Kansas Retired Teachers Association. Mr. Covey offered oral and written testimony (Attachment 3) in support of HB3033. Rep. Wilbert asked the fiscal note and Chairman Williams replied it was not available yet. There were no further questions of Mr. Covey.

Chairman Williams then introduced the next proponent, Etta Blanche Dahlgren, who represented the Kansas City retired teachers. She offered oral and written testimony (Attachment 4) in support of HB3033. Rep. Williams asked how many teachers were represented in this group, to which Ms. Dahlgren replied 232 annuitants, as of the first of September, 1989. There are 19 active employees. She also mentioned there were some surviving beneficiaries. She mentioned the bill has approval of school officials. There were no questions of Ms. Dahlgren.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PENSIONS, INVESTMENTS AND BENEFITS,
room 531N, Statehouse, at 7:50 a.m. ~~PM~~ on March 1, 1990

Ms. Dahlgren in her testimony had addressed HB3034, also. Noting that, Chairman Williams asked Basil Covey if he wished to speak to HB3034. Mr. Covey responded that he would testify in support of that bill, and offered oral and written testimony.

Chairman Williams then closed the hearing on HB3033 and HB3034.

Chairman Williams opened the hearing on HB3035.

Chairman Williams welcomed Jeannie Thomas, who offered comments concerning personal experiences, as well as those of her husband, as retired and handicapped teachers, living on disability and retirement income. There were no questions of Ms. Thomas. She presented petitions to Chairman Williams (Attachment 5).

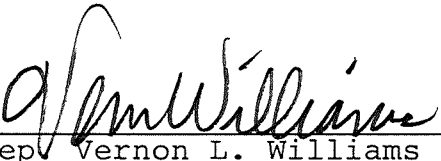
Chairman Williams closed the hearing on HB3035.

Chairman Williams announced that the Committee should act on certain bills today. The first was HB2451 and Chairman Williams asked Rep. Hurt to speak about this bill (Attachment 6). She explained that this is enabling legislation which enables the Dept. of Administration, if money becomes available, to set up a child care project according to these guidelines. **Rep. Katha Hurt made a MOTION that the Committee amend the bill as re-written. SECONDED by Rep. Bill Wisdom. Carried unanimously by voice vote. Rep. Hurt then made a MOTION that the Committee pass HB2451 out of Committee FAVORABLY AS AMENDED. Rep. Elaine Wells SECONDED the MOTION. There was no discussion and the MOTION CARRIED UNANIMOUSLY ON VOICE VOTE.**

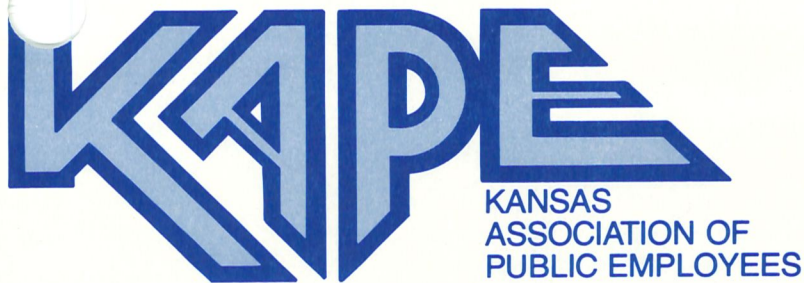
Chairman Williams then asked for action on HB2719, the affinity credit card bill. He referred the Committee to the Balloon Amendment (Attachment 7). He explained that the bill had been changed from KPERs participants to Kansas Governmental Employees. On questioning by Rep. Wilbert, Chairman Williams gave a synopsis of the bill. **Rep. Wilbert made a MOTION that the Committee accept the bill as amended. MOTION SECONDED by Rep. Wisdom.** Rep. Sader asked that Chairman Williams review the language of the bill. After a short discussion regarding the language, and after assuring Committee that the language would be reviewed by Revisor's Office, Chairman Williams asked for a motion to send HB2719 out of Committee. **Rep. Tim Shallenburger made a MOTION that HB2719 be sent out of Committee FAVORABLY, AS AMENDED. MOTION SECONDED by Rep. Bill Wisdom. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.**

Chairman Williams then asked for action on HB2950, having to do with investments. It was introduced at the request of Savings & Loan League of Nebraska, allowing them to become eligible to hold fee agency accounts of the state. Chairman Williams stated he had attempted to bring the proponent and opponent to agreement on language, but has not yet succeeded. Whereupon, **Rep. Wisdom made a MOTION that the Committee TABLE HB2950. SECONDED by Rep. Guldner. MOTION CARRIED IN MAJORITY BY VOICE VOTE.** Rep. Dorothy Flottman is recorded as voting "NO" on this MOTION.

Meeting adjourned at 8:29 AM



Rep. Vernon L. Williams
Chairman



Presentation to
Committee on Pensions, Benefits and Investments
by Charles Dodson
Kansas Association of Public Employees

Mr. Chairman, members of the Committee, thank you for allowing me to speak in support of HB 2940.

Kansas Administrative Regulation 1-9-5(e)(1) provides that sick leave may be granted to an employee for "illness or disability of the employee including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom." In section (f) of that same regulation, the State provides that if "the employee has exhausted all sick leave...the appointing may grant the employee leave without pay as provided in K.A.R. 1-9-6(c)."

K.A.R. 1-9-6(c) explains the reasons leave without pay may be granted, and includes "the adoption of a child by the employee".

In one instance, the appointing authority may require an employee to use all sick leave before granting leave without pay, and in the case of the adoption of a child, the appointing authority is not authorized to grant sick leave prior to granting leave without pay. There appears to be an inconsistency in these regulations.

I will not pretend to have any knowledge as to the disability which may occur as a result of childbirth. However, barring complications, my observations have been that the disability does not last 30, 40, or more days after childbirth. Yet, if a mother has a child, the state may require the exhaustion of sick leave prior to granting leave without pay if the mother wishes to spend an extended period of time with the child before returning to work.

The issue becomes even more inconsistent when we read further in K.A.R. 1-9-5(2), and find that a male state employee may use sick leave if a family member is giving birth to a child. Now in this area, I do have some experience. Other than being a little tired, I don't recall any real disability. K.A.R. 1-9-6 does allow the appointing authority to grant a male state employee leave without pay in addition to sick leave for the birth of a child for a family member.

Bouncing around through these regulations may be somewhat confusing. The confusion is often caused by the inconsistencies. A consistent directive would recognize that the introduction of a new child into the family is a special time and often requires the presence of a parent for an extended period of time. The agencies know this and the law should reflect this fact. Employees should be encouraged to build a strong family unit without discrimination as to the way the family size has expanded. This is an extremely important bill in that it is an indicator of the values we hold and the importance we place on the family in this State.

time shall be credited sick leave in accordance with tables A or B.

TABLE A
Sick Leave Earnings Schedule
for Employees Paid Monthly and Semi-Monthly

Hours Worked Per Pay Period *	Hours Earned Per Pay Period
0- 19	0.00
20- 39	1.00
40- 59	2.00
60- 79	3.00
80- 99	4.00
100-119	5.00
120-139	6.00
140-159	7.00
160-	8.00

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining sick leave earned.

TABLE B
Sick Leave Earnings Schedule
for Employees Paid Biweekly

Hours Worked Per Pay Period *	Hours Earned Per Pay Period
0- 7	0.0
8-15	0.4
16-23	0.8
24-31	1.2
32-39	1.6
40-47	2.0
48-55	2.4
56-63	2.8
64-71	3.2
72-79	3.6
80-	3.7

* "Hours worked" means hours in pay status except that overtime worked and additional payment for holidays worked are not counted in determining sick leave earned.

(c) On the first day following each payroll period, the sick leave accrued during the previous payroll period shall be credited to each employee. In no case shall overtime worked be counted in determining sick leave credited. Each eligible employee paid on a monthly or semi-monthly basis shall be credited sick leave credits at the rate of one hour for each 20 hours in pay status, excluding overtime worked and additional payment for holidays worked, up to the maximum set forth in subsection (b).

(d) Each employee wishing to use sick leave shall request its use in the form and at such time as prescribed by the appointing authority, as required by K.A.R. 1-9-3(a). Any employee may be required by the appointing authority or the director of personnel services to provide evidence necessary

to establish that the employee is entitled to use sick leave credits under the circumstances of the request. If the employee fails to provide this evidence, the use of requested sick leave may be denied by appointing authority or director. The appointing authority, with the director's approval, may require a physical examination of an employee by a physician designated by the agency at the agency's expense.

(e) Sick leave with pay shall be granted only for the following reasons:

(1) illness or disability of the employee including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom;

(2) illness or disability, including pregnancy, childbirth, miscarriage, abortion, and recovery therefrom, of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. "Employee's family" shall be limited to:

(A) persons related to the employee by blood, marriage or adoption; and

(B) minors residing in the employee's residence as a result of court proceedings pursuant to the Kansas code for care of children or the Kansas juvenile offenders code;

(3) the employee's personal appointments with a physician, dentist, or other recognized health practitioner; or

(4) legal quarantine of the employee.

(f) If an appointing authority has evidence that an employee cannot perform the employee's duties because of illness or disability, if the employee has accumulated sick leave, and if the employee refuses or fails to apply for sick leave, the appointing authority may require the employee to use sick leave, and upon exhaustion of the employee's sick leave, may require use of any accumulated vacation leave or compensatory credits. An appointing authority may request a written release by a physician before the employee is allowed to return to work. If the employee has exhausted all sick leave, accumulated vacation leave, or compensatory credit, the appointing authority may grant the employee leave without pay as provided in K.A.R. 1-9-6(c).

(g) If an employee taking vacation leave becomes ill, and for all intents and purposes, is deprived of all or a significant portion of the vacation due to the illness, the appointing authority, upon request of the employee, may charge to sick leave

some or all of the time the employee was ill while on vacation.

(h) Each employee who is injured on the job and awarded workers' compensation shall be granted use of accumulated leave. The compensation for accumulated leave used each payroll period shall be that amount which, together with workers' compensation pay, equals the regular salary for the employee. Unless the employee requests otherwise, vacation leave credits and compensatory time credits shall be used only after sick leave credits have been exhausted. Workers' compensation days credited back to the employee shall be in multiples of half days only.

(i) Each former employee who had unused sick leave at time of separation, and who returns to the service to a permanent position within a year, shall have the unused sick leave returned to the employee's credit. This provision shall not apply to a person who has retired from the state service.

(j) Persons retiring from the classified or unclassified service who have completed eight or more years of service and who have accumulated 800 hours or more of sick leave shall be compensated for a portion of the accumulation pursuant to the provisions of K.S.A. 75-5517. (Authorized by K.S.A. 1987 Supp. 75-3747; implementing K.S.A. 75-3707, K.S.A. 1987 Supp. 75-3746; effective May 1, 1979; amended, E-81-23, Aug. 27, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended T-1-6-13-88, July 1, 1988; amended Oct. 1, 1988.)

1-9-6. Leave without pay. (a) Requests for leave without pay shall be made to the appointing authority in such form and at such time as prescribed by the appointing authority. The appointing authority shall determine whether approval of each request is for the good of the service, and shall approve or disapprove the request. The appointing authority may require use of accumulated vacation leave and compensatory time credits, and if appropriate, accumulated sick leave, before approval of leave without pay.

(b) Any probationary or conditional employee, excluding an employee on a tempo-

rary or emergency appointment, may be granted leave without pay for a period not to exceed 60 calendar days for childbearing, illness, temporary disabilities, the birth of the employee's child, the adoption of a child by the employee, the initial placement of a foster child in the home of the employee, in order to care for a family member who has a serious health condition, or other good and sufficient reason, when the appointing authority deems leave to be in the best interest of the service. When an appointing authority determines that granting a longer leave of absence without pay than prescribed in this subsection is in the best interest of the service, the appointing authority may request the director of personnel services to approve a longer leave, or an extension of a leave, provided the total duration of the leave shall not exceed six months. Any leave granted under this subsection that exceeds 30 calendar days shall be reported to the director of personnel services.

(c) Any permanent employee may be granted leave without pay for a reasonable period of time consistent with the effective fulfillment of the agency's duties, but not to exceed one year, for childbearing, illness, temporary disabilities, the birth of the employee's child, the adoption of a child by the employee, the initial placement of a foster child in the home of the employee, in order to care for a family member who has a serious health condition, or other good and sufficient reason, when the appointing authority deems such leave to be in the best interest of the service. Any leave that exceeds 30 calendar days shall be reported to the director of personnel services.

(d) Any permanent employee may be granted leave of absence without pay from the employee's classified position to enable the employee to take an appointive position in the unclassified service, if the granting of this leave is considered by the appointing authority to be in the best interest of the service. Leave for this purpose shall not exceed one year, but the appointing authority may grant one or more extensions of up to one year, and the appointing authority may determine the number of extensions.

STATE OF KANSAS

DENISE L. EVERHART
REPRESENTATIVE, FIFTY-NINTH DISTRICT
4332 SE HEATHCLIFF
TECUMSEH, KANSAS 66542
(913) 379-0541



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: JUDICIARY
LABOR AND INDUSTRY
TRANSPORTATION

Chairman Williams and members of the Pension, Investments, and Benefits Committee:

Thank you for this opportunity to appear before you today in support of HB 2839.

HB 2839 would allow a surviving spouse to be paid that portion of accumulated sick leave which would have been paid to an employee upon retirement had that employee retired prior to death.

I have attached correspondence concerning this issue and urge your support for HB 2839.

September 12, 1989

Mr. Joe de la Torre
Governor's Public Liaison
Office of the Governor
State Capital
Topeka, Kansas 66612-1590

Dear Joe:

Thank you for the kind words regarding my father, D.E. "Doc" Robinson, in our telephone conversation of September 8. These past few weeks have been very hard on my family; however, the comforting and generous words from the many individuals my father worked with throughout the State of Kansas, including Governor Hayden, have meant a great deal to us. We will miss my father but we know he has found peace and happiness hereafter.

As you know from your recent discussions with my father, he was beginning to "count the days" until his retirement in May of 1990. With over 40 years of service to the State of Kansas with the Kansas Department of Transportation (KDOT), my father had earned his retirement.

During this difficult past week I have been assisting my mother with her financial affairs including an inquiry into my father's final wage payment from KDOT. I was deeply disturbed when I learned of the State's administrative policy regarding the payment of annual leave and sick leave upon the death of an employee.

It is my understanding from the KDOT administrative manual (copy of appropriate page attached) and from the many discussions with my father and mother over the past six months, that my father, with 40 years of service, would receive 30 days of annual leave pay (if unused) and 60 days of sick leave pay upon his retirement. You should be aware that at the date of my father's death, he had accumulated 43 days (351 hours) of unused annual leave and 337 days (2,700 hours) of unused sick leave.

Now, as a result of his unexpected and untimely death, I have been informed that my father is not entitled to receive any sick leave pay on his final wage payment from KDOT. I find this policy lacking in consistency, equity and fairness and it has left my mother (and my family) a little bitter toward the State of Kansas which my father so proudly and honorably served for over 40 years. In my view, the policy allowing for the payment of 60 days unused sick leave at retirement date is for the purpose of rewarding long-term State of Kansas employees. By anyone's standards, my father was a long-term State of Kansas employee and his untimely death, in and of itself, should neither restrict nor prevent the payment of such sick leave benefits to him.

Mr. Joe de la Torre

September 11,

Furthermore, regarding the payment of annual leave upon the untimely death of an employee, I find it unconscionable that my father's final wage payment would not include the entire amount of unused annual leave. When one is planning to quit or retire from employment, it is a common practice to utilize annual leave days in such a manner so that no days remain as "uncompensated" at the date of termination/retirement. I question how the State of Kansas can have an administrative policy which clearly discriminates against an employee that dies suddenly and unexpectedly with greater than 30 days of unused annual leave.

Accordingly, based on the explanation provided above, I respectfully request on behalf of my mother and my deceased father that the administrative latitude provided to the Governor of the State of Kansas to carry out State business be exercised to compensate my father for the 43 days of unused annual leave and the 60 days of unused sick leave that he would of received (or utilized) had he lived to his retirement date of May, 1990. My father, Doc Robinson, was proud of his employment record with the State of Kansas and it is clear that, with 337 days of accumulated, unused sick leave, he served the State of Kansas faithfully with dignity and honor. It seems only right, and as a tribute to my mother, to compensate my father on his last wage payment for those benefits which he rightfully earned and now deserves.

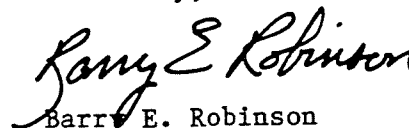
My mother is currently not aware of the telephone discussions I had with you or the writing of this letter. I respectfully request that your office correspond only with me regarding this matter as my mother is burdened enough with my father's death. If I can be of any additional assistance in this matter, or if it is possible to discuss this matter in greater detail, please contact me immediately by telephone at 602-252-6583. In the event you wish to reply to me in writing, please send it to:

Mr. Barry E. Robinson, CPA
Ernst & Young
100 West Washington, Suite 900
Phoenix, Arizona 85003

Personal and Confidential

Thank you in advance for your prompt attention to this matter and I await your immediate reply.

Sincerely,


Barry E. Robinson

BER:lb

Enclosure

Copy to Mr. Horace B. Edwards
Secretary of Transportation
Docking State Office Building
Seventh Floor
Topeka, Kansas 66612-1568



Kansas Retired Teachers Association

Keep Retired Teachers Active

1989 - 1990



March 1, 1990

Members of the House Pensions, Investments and Benefits Committee:

My name is Basil Covey and I represent the Kansas Retired Teachers Association.

We support HB 3033 that eliminates the social security offset for retirement benefits under the Kansas City, Kansas school employee system.

Kansas City is in District #3 of the Kansas Retired Teachers Association. The Kansas City school district retirees contacted their representative on the KRTA legislative committee stating this policy which reduced their pensions. The problem was discussed in the September meeting. The problem has been brought to our attention at other times in the last two or three years in other meetings.

We find this policy detrimental and not in the best interest of the retirees. To reduce one pension because of receiving another is grossly unfair and not a good business practice.

The total deduction over the years is not an item for small claims court, but the retirees are not asking for refunds, but to eliminate the offset. Retirees earned the full pension and should be entitled to it without any relation to other pensions.

It is a matter of record that the school administration favors improvements in teacher retirement. We feel eliminating the social security offset is a good way to start. If it is a matter of funds, the school district may exercise their option to make a mill levy.

We urge the Committee to give HB 3033 a favorable vote.

Thank you,

Basil Covey
Basil Covey

Att. 3

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Phone 316-672-7890

James M. ...

...

March 1, 1990

Rep. Williams and members of the House Pension, Investments,
Benefits Committee:

My name is Mrs. Etta Blanche Dahlgren
4326 Waverly
Kansas City, KS 66104

I am representing the Kansas City, Kansas Area Retired Teachers
Association.

I wish to speak in support of HB 3033 and HB 3034.
These bills refer mainly to a group of retirees from the Kansas City,
Kansas School System under the local retirement plan.

The Social Security reduction, HB 3033, was a part of the provisions
included at the time we became eligible for Social Security.

We are not included in the death benefit of \$2,500, H.B. 3034,
as provided by KPERS.

Some of our retired teachers retirement committee are here.
If you have questions, we will be glad to try to answer them.

We ask for your affirmative vote on these two bills.

Thank you,

Mrs. Etta Blanche Dahlgren

Mrs. Etta Blanche Dahlgren

Att. 4

PETITION

I support Kansas House Bill No. 3035 to assist older, disabled Kansans.

1. Arnold E. Byrd 6100 Central
Merriam Ks 66202
2. Betty L. Fargrow 2623 South 38
KCKs. 66106
3. Jeff Fargrow 2623 So 38
K.C. Ks 66106
4. Shirley Bowen 210 N 32 ST KCK 66102
K.C.Ks. 66109
5. George Bowen 210 N 32 S
KCK 66102
6. Edythe Moon 3100 no. 66th Terr.
K. C. Ks.
7. Bob Moon 3100 no. 66th Terr.
K. C. Ks.
8. Gayne Miller 3645 N. 124th
KCKS
9. Jack R. Winkler 3000 N. 131st
Ransom City, Kansas
66109

HOUSE BILL No. 2451

By Committee on Federal and State Affairs

2-20

ATT 6

15
16 AN ACT providing for the implementation of a pilot project estab-
17 lishing a child care center for state officers' and employees' children
18 and dependents.

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

20 Section 1. (a) The secretary of administration shall implement a
21 pilot program establishing a child care center designed to accom-
22 modate the needs for child care for state officers' and employees'
23 children and dependents.

centers

24 (b) The secretary of administration shall identify space that can
25 reasonably be renovated to accommodate the child care center. Such
26 space may be located in a state-owned building or in a privately-
27 owned building located not more than one mile from the place of
28 employment of the officers and employees to be served by the center.
29 If the center is to be located in a state-owned building, a portion
30 of the rental fee may be waived by the secretary.

building

or land site availability

near centers

, or on state-owned land conveniently

and utilities shall

31 (c) The operator of the child care center established pursuant to
32 this section shall be selected on the basis of competitive bids. Re-
33 quests for proposals shall be developed by the secretary of admin-
34 istration. The operator shall be required to comply with all state
35 and local licensure requirements and all state purchase-of-service
36 standards, maintain adequate liability insurance coverage and assume
37 financial and legal responsibility for the child care center. Neither
38 the operator of the center nor any person employed by or at the
39 center shall be considered employees of the state.

operators

centers

be licensed by the Kansas department of health
and environment and maintain compliance

meet the accreditation requirements of the
national academy of early childhood programs, and
comply with

40 (d) Except as otherwise provided by law, the child care center
41 established pursuant to this section shall be financially self-sufficient
42 and operating costs shall be offset by fees charged to state officers
43 and employees who utilize the child care services provided by the

centers

ATT. 6

44 center. Requests for proposals may provide for a sliding fee schedule
45 with fees charged on the basis of the officer's or employee's household
46 income.

47 (e) The secretary of administration may adopt rules and regula-
48 tions to implement this section.

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

The child care center may provide a discount on the fees charged to state officers and employees for multiple dependents of such officers and employees using the child care center.

6-2

DRAFT

HOUSE BILL No. 2719

By Representatives Williams and J.C. Long

1-26

governmental

Att. 7

AN ACT authorizing participation in ~~an affinity credit card program for members of the Kansas public employees retirement system~~ ^{governmental} and ~~retirants~~ for benefit of the state; prescribing powers, duties and functions therefor and disposition of proceeds therefrom.

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

Section 1. (a) The secretary of administration is hereby authorized to participate in ~~an affinity credit card program for members of the Kansas public employees retirement system~~ ^{governmental} for the benefit of the state. Within 180 days after the effective date of this act, the secretary of administration shall ~~contact each financial institution to determine if:~~

(1) ~~This financial institution or its holding company or affiliate currently administers an affinity credit card program;~~

(2) ~~the affinity credit card program provides a fee or commission on retail sales to the sponsoring entity for the issuance and use of the credit card; and~~

(3) ~~the affinity credit card program would accept the state as a sponsoring entity.~~

solicit proposals from financial institutions for the establishment of an affinity credit card program.

(b) If the secretary of administration determines that the state ~~may be a sponsoring entity for an affinity credit card~~, the secretary of administration shall negotiate and enter into a contract for participation in an affinity credit card program for the most favorable rate for the state's fee by the affinity credit card issuer. The rate shall be expressed as a percentage of the gross sales from the use of the affinity credit card.

should proposal, based upon the lowest annual fee and lowest interest rates charged to users of the card and the highest state's

(c) ~~An affinity credit card shall be offered to each member of the Kansas public employees retirement system and issued to such member upon request of such member.~~

Application for an by the Kansas public employee retirement system governmental

(d) All moneys received under the contract for such fee shall be deposited in the state treasury to the credit of the state general fund.

employees employees fees payable to the state

(e) The secretary of administration is hereby authorized to negotiate and enter into contracts and may adopt rules and regulations for the administration and implementation of this section.

1 Contracts entered into under this section shall not be subject to the
2 competitive bid requirements of K.S.A. 75-3739 and amendments
3 thereto.

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4 (f) As used in this section:

5 (1) "Affinity credit card" means a credit card that is issued to
6 persons who share a common interest or affiliation, that entitles the
7 holder to make open-account purchases up to an approved amount
8 and that is issued through the agency of a financial institution;

9 (2) ~~"member of the Kansas public employees retirement system"~~
10 means any person who is ~~an active, regular or special member of~~
11 ~~the Kansas public employees retirement system or any other~~
12 ~~retirement system or program administered by the board of trustees~~
13 ~~of the Kansas public employees retirement system, but shall not~~
14 ~~mean any retired or inactive member of any such retirement system;~~

governmental
[a ~~retirant~~ or

*an employee of the state of Kansas or any
employer covered under the agreement
between the federal social security
administration and the state of Kansas
for the coverage of public employees
within the state of Kansas*

15 (3) "financial institution" means an entity which is a bank or
16 savings bank chartered under state or federal law, a savings and loan
17 association chartered under state or federal law, or a credit union
18 chartered under state or federal law and which is doing business in
19 Kansas; and

20 (4) "sponsoring entity" means an entity that solicits the use of a
21 particular financial institution credit card bearing the entity's name
22 in exchange for a fee from the credit card issuer.

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