

Approved: 3-30-92  
Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson George Teagarden at 12:05 p.m. on March 9, 1992 in room 514-S of the Capitol.

All members were present except: Representatives Fuller, Pottorff, and Solbach. (All excused).

Committee staff present: Ellen Piekalkiewicz, Legislative Research Department  
Debra Duncan, Legislative Research Department  
Jim Wilson, Revisor of Statutes  
Sue Krische, Administrative Aide  
Rose Baker, Committee Secretary

Conferees appearing before the committee:

Jack Hawn, KPERS  
Representative Don Rezac  
Craig Grant, KS National Education Association  
Melanie Jack, Assistant Attorney General, KBI

Others attending: See attached list

Sub. HB 2096 - KPERS, normal retirement date of 90 point plan.

Jack Hawn, KPERS, explained Sub. HB 2096. Mr. Hawn stated that this bill is a one year window with age and years of service reaching a total of ninety. This bill will not impact the employer contribution rate and has no fiscal impact. In answer to a question, Mr. Hawn stated that approximately 1,000 employees would be eligible for this window. Representative Patrick asked that Mr. Hawn provide the number of employees that have retired under the current one year window.

Representative Don Rezac presented testimony in support of Sub. HB 2096 (Attachment 1). Representative Rezac stated that he has been contacted by several persons across the state in regard to passage of this bill and is recommending its favorable consideration.

Craig Grant, Kansas National Education Association, presented testimony in support of Sub. HB 2096 (Attachment 2). Representative Gatlin expressed concern regarding the shortage of superintendents if this window is allowed. Mr. Grant explained that not only are there principals, but teachers who qualify for the position of superintendent and who might well apply for that position.

HB 2597 - KP&F, prior service credit for certain agents of the KBI.

Jack Hawn, KPERS, provided testimony in support of HB 2597. Mr. Hawn explained that this bill would allow KBI agents with at least 10 years of participating service, who presently have service credit under KPERS as a narcotic violation investigator, to claim such service under the police and fire system. KPERS was advised that there are 5 KBI agents who are affected and if they all elected to transfer and have their service credited under KP&F, there would be an increase to the KBI employer contribution rate by approximately \$4,900 annually.

Melanie Jack, Assistant Attorney General, KBI, presented testimony in support of HB 2597 (Attachment 3) and provided the committee with information that there would be a minimal fiscal impact on the budget. In 1979, the narcotic violation investigators became KBI Special Agents. There was no provision for rollover and they were not allowed to transfer their previous service time over to KP&F. These five agents have now obtained at least ten years under KP&F and should be allowed prior service credit.

Meeting adjourned at 12:27 p.m. The next scheduled meeting will be March 10, 1992 in room 514-S.





TOPEKA

COMMITTEE ASSIGNMENTS  
CHAIRMAN: PENSIONS, INVESTMENTS AND BENEFITS  
CHAIRMAN: KANSAS PUBLIC EMPLOYEE  
RETIREMENT STUDY COMMISSION  
VICE CHAIRMAN: AGRICULTURE  
MEMBER: ENERGY AND NATURAL RESOURCES  
TRANSPORTATION

DON M. REZAC  
REPRESENTATIVE, SIXTY-FIRST DISTRICT  
PARTS OF POTTAWATOMIE,  
WABAUNSEE, MARSHALL & LYON COUNTIES  
(913) 535-2961

HOUSE OF  
REPRESENTATIVES

TESTIMONY ON HB 2096  
APPROPRIATIONS COMMITTEE  
March 9, 1992

Thank you, Mr. Chairman and members of the Committee. My name is Don Rezac; I am Chairman of the Pensions, Investments and Benefits Committee. I am here today in support of Substitute HB 2096.

This bill is a very simple bill. It relates to the 90-point system. Currently in the state we are under a one year window of a 90-point system; the age has to be 60 with 30 years of employment.

The format in the substitute bill is full retirement benefits will be available when any age plus years of experience equal the sum of 90.

There seem to be quite a number of people under age 60 who have many years of service who would like to retire, because I have received lots of letters and phone calls on this proposal. One-year windows are basically no expense to the KPERS funds. This would allow a lot of people to retire that are just waiting to attain age 60.

DON REZAC  
State Representative  
District #61

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3-9-92  
Attachment 1



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony Before  
House Appropriations Committee  
Monday, March 9, 1992

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit with the committee in support of HB 2096.

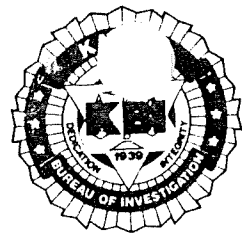
We are in the middle of a one-year window allowing normal retirement at age 60 with 30 years experience. This change in the window would allow those at age 56 with 34 years experience or 63 with 27 years experience to take advantage of the window. All those who could take advantage of this window will have a considerable number of years of service to Kansas.

After 27 or 34 years of teaching children, some educators find they are ready to leave that classroom pressure. This window will allow many of them to start enjoying their retirement rather than remain in that situation which could hinder the health of that teacher so retirement cannot be enjoyed.

Since there is no fiscal note of any significance to this one-year window, we would ask that you support this benefit increase for our long-time employees.

Kansas-NEA asks that you report HB 2096 favorably for passage. Thank you for listening to the concerns of our members.

HA  
3-9-92  
Attachment 2



# KANSAS BUREAU OF INVESTIGATION

DIVISION OF THE OFFICE OF ATTORNEY GENERAL

STATE OF KANSAS

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ROBERT T. STEPHAN  
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JAMES G. MALSON  
DIRECTOR

## TESTIMONY

MELANIE JACK, ASSISTANT ATTORNEY GENERAL  
ON BEHALF OF DALE A. FINGER, ACTING DIRECTOR  
KANSAS BUREAU OF INVESTIGATION  
BEFORE THE HOUSE APPROPRIATIONS COMMITTEE  
REGARDING HOUSE BILL 2597  
MARCH 9, 1992

Mr. Chairman and Members of the Committee:

My name is Melanie Jack, Assistant Attorney General assigned to the Kansas Bureau of Investigation (KBI). I appear today on behalf of the KBI to testify in support of House Bill 2597. This bill was introduced last year at our request in an effort to obtain prior service credit for five of our agents, a portion of who's careers as law enforcement officers have fallen into a statutory gap. These five agents started out their employment with the Kansas Bureau of Investigation as Narcotic Violation Investigators (NVI), sometimes known as narcotic special agents. This would have been in the early 1970's and as such they worked as undercover law enforcement officers, exclusively on drug enforcement cases. Their activities at that time were primarily undercover purchasing of narcotics and investigating narcotic traffickers. However, they were not filling "agent" positions under the appropriation bills at that time and so their benefits were accumulated under the Kansas Public Employees Retirement System (KPERs), rather than the Kansas Police and Fire Program (KP&F).

In 1979 the distinction was disposed of and the narcotic violation investigators became regular KBI Special Agents, and as such enrolled in KP&F. However, there was no provision for "rollover" and they were not

HA  
3-9-92  
Attachment 3

Page 2

allowed to transfer their service time as narcotic violation investigators over to KP&F and receive credit for the time they served in that capacity. Five of those investigators are still agents with the KBI and each of them has now obtained at least ten years under KP&F.

Traditionally, the requirements for KP&F participation have been based on the additional risk, stress and health requirements required in public safety employment. Clearly, undercover investigation of drug traffickers is one of, if not the, highest stress and most dangerous assignments in law enforcement. These agents have developed into some of the best employees of the KBI and it is our feeling their prior service should be appropriately credited under the KP&F system.

There are only five agents who would come under this bill. The times involved range from four months to a little over eight years and three months, and according to KPERS, there would be minimal fiscal impact on our budget. We have spoken with Mr. Meredith Williams at KPERS and they have no objection to this bill. Given the service they have provided to the State of Kansas in fighting the drug war, I think it is appropriate that the State recognize their efforts and grant them credit for the time they served, albeit under a different title.

I would be happy to answer any questions.

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