

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:35 A.M. on January 30, 2007, in Room 123-S of the Capitol.

All members were present except:

Senator Carolyn McGinn- excused

Committee staff present:

Jill Wolters, Senior Assistant, Revisor of Statutes
Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Julian Efirid, Kansas Legislative Research Department
Susan Kannarr, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Melinda Gaul, Chief of Staff, Senate Ways & Means
Mary Shaw, Committee Assistant

Conferees appearing before the committee:

Neville Kenning, Hay Consulting Group
Robin Kempf, Interim General Counsel, Kansas Board of Regents

Others attending:

See attached list.

Bill Introduction

Senator Wysong moved, with a second by Senator Barone, to introduce a bill concerning municipalities; postemployment benefits other than retirement; authorization (7rs0606). Motion carried on a voice vote.

Chairman Umbarger turned the Committee's attention to discussion of the minutes from previous meetings. Senator Schodorf moved, with a second by Senator Kelly, to approve the minutes of the January 9, January 10, January 11, January 16 and January 22, 2007, meetings. Motion carried on a voice vote.

Chairman Umbarger acknowledged Alan Conroy, Director, Kansas Legislative Research Department, who introduced Neville Kenning, National Director State Government Consulting Practice, Hay Group. Mr. Kenning provided a briefing on the State Employee Pay Plan Study, Phase 1, State of Kansas Salary Survey Report (Attachment 1). Information was provided on the background and objective; project process; analysis and commentary on internal pay practice; analysis and commentary of external competitiveness; summary of external competitiveness and construct of salary ranges.

Mr. Kenning mentioned in the Summary of External Competitiveness that overall, the State of Kansas salary practice lags noticeably behind both the median and average of the market. He also noted that the State of Kansas trails the market in all categories on aggregate. He mentioned that there is a problem with steps because there is very little variability. There were committee questions.

The Chairman turned the Committee's attention to discussion of:

SB 11--Enacting the alcoholism treatment facilities licensing act

The Revisor explained a balloon amendment that incorporate the amendments approved by the Committee at a previous meeting (Attachment 2). Senator V. Schmidt expressed concern regarding pages 3 and 4 of the balloon that would add professionals licensed by the Behavioral Sciences Regulatory Board to independently

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:35 A.M. on January 30, 2007, in Room 123-S of the Capitol.

practice to the list of persons exempted from the requirements to be licensed as a treatment facility before providing alcohol and drug abuse treatment services. Senator Schmidt felt that this amendment would cloud the waters of the original bill. Following committee discussion, a motion was made by Senator V. Schmidt, with a second by Senator Steineger, to adopt the balloon amendment excluding pages 3 and 4. Motion carried on a voice vote.

Senator V. Schmidt moved, with a second, to introduce pages 3 and 4 of the balloon amendment as a separate bill. Motion carried on a voice vote.

Senator Steineger moved, with a second by Senator V. Schmidt, to recommend **SB 11** favorably for passage as amended. Motion carried on a roll call vote.

Chairman Umbarger opened the public hearing on:

SB 21--State educational institutions; enhancement of leave benefits of certain employees thereof

Staff briefed the committee on the bill.

The Chairman welcomed Robin Kempf, Interim General Counsel, Kansas Board of Regents, who presented testimony in support of **SB 21** (Attachment 3). Ms. Kempf explained that **SB 21** would resolve a conflict created by two legislative acts intended to provide state universities flexibility, under the supervision of the Board of Regents, in managing their staff. It was noted that **SB 21** was essentially a technical cleanup bill that would provide state universities flexibility in determining both compensation and annual leave levels, under the supervision of the Board, and not require a university and its staff to choose between one or the other.

There being no further conferees to appear before the Committee, the Chairman closed the public hearing on **SB 21**.

The Revisor distributed copies of a technical cleanup balloon (Attachment 4). Senator Emler moved, with a second by Senator Steineger, to adopt the balloon and recommend **SB 21** favorable for passage as amended. Motion carried on a roll call vote.

The meeting adjourned at 12:00 p.m. The next meeting is scheduled for January 31, 2007.

**SENATE WAYS AND MEANS COMMITTEE
GUEST LIST**

Date January 30, 2007

Name	Representing
Cheri Froetschner	DoB
John Kirk	DOB
George Vega	DoA
Robin Kompf	KBOR
Luke Thompson	KHPA
Paul A. Hureby	PAT HUREBY & CO.
MIKE BRASSEL	KS Sec of State
David Dickinson	SRS / Health Care Policy / AAPS
John Bolger	SRS
ERIC Settord	WSU
Emily Geier	Hein Law Firm
GARY ADKINS	SEAK
Linda Hubbard	SEAK
Sheila Lohm	KACCT
Kirk Prideoax	FHSU

State of Kansas

Salary Survey Report

January 30, 2007



Prepared by:

Neville Kenning
National Director State Government Consulting Practice

Greg Wolf
Consultant

Lisa Bailey
Senior Technical Analyst

Jaimee Chism
Technical Analyst

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Background and Objective

- While salary surveys have been conducted for selected occupational groups and jobs as part of the ongoing administration of the State's salary plan, it is many years since a comprehensive salary survey has been conducted.
- Against that background, the Legislative Coordinating Council directed the Department of Administration and the Legislative Research Council to prepare a scope of work statement for engaging the Hay Group to:
 - conduct a comprehensive salary survey (Phase I); and
 - evaluate work being done by the Department of Administration in the design of a new compensation plan (Phase II).

Background and Objective (cont'd)

- The objective of Phase I has been to conduct a salary survey based on a comprehensive list of benchmark positions and comparator organizations and to provide the State with:
 - Analysis of current salary range and actual pay as compared to the market;
 - Provide data that can be used for determining specific occupational groups and/or classifications that should be prioritized for potential future salary changes; and
 - Provide commentary on the construct of the current ranges as one source of input to Phase II.

Project Process

- The following steps have been undertaken:
 - Initial planning and scoping meeting;
 - Mutual agreement on the benchmark positions and constituency of the comparator market;
 - Collection of current State of Kansas salary data;
 - Design and distribution of customized salary survey instrument;
 - Intensive follow up with identified participants to optimize participation;
 - Analysis of salary data (internal and external).

Project Process (cont'd)

- Meeting to clarify data “cut” issues and preliminary survey output;
- Presentation of report to leadership of the Department of Administration and the Legislative Research Council; and
- Preparation of this report for key Legislative Leadership.

Analysis – Internal Pay Practice

- While the focus of this study has been on comparison with the external market, it is important to also have data on the current pay practice in terms of:
 - On which step in their current pay ranges employees are paid; and
 - the distribution of employees across the salary ranges.
- It is the understanding of Hay that for the past six years, there was limited or no funding for step movements by employees.
- Accordingly, the level of competitiveness of pay as compared to the external market should be viewed in conjunction with internal pay practice.

Analysis – Internal Pay Practice (cont'd)

- For example, if the midpoint of a pay range is 10% behind the market and actual pay is on any step below the midpoint of the range, actual pay lags the market by an amount greater than 10%.
- Set out in the table on page 9 is a benchmark summary of pay distribution by compa-ratio.
- Compa-ratio is the actual salary divided by the corresponding salary range midpoint. The midpoint of the range was calculated by averaging the salary range minimum and maximum.
- The table on page 10 shows the overall distribution of employees by step.

Analysis – Internal Pay Practice (cont'd)

Employee Distribution Analysis - By Number of Employees - Benchmark Jobs Only

Grade	Compa-Ratio Grouping (Number of Employees)						Total
	85% - 91%	91% - 97%	97% - 103%	103%-109%	109% - 115%	>115%	
008	14	3	2	1	1	0	21
009	195	17	14	15	52	0	293
010	133	4	5	2	6	0	150
011	318	19	13	12	43	0	405
013	44	5	8	9	19	0	85
014	87	4	0	1	7	0	99
015	749	160	106	123	280	0	1418
016	115	16	7	7	12	0	157
017	715	92	32	49	161	23	1072
018	201	405	92	99	282	53	1132
019	456	119	126	84	129	0	914
020	164	67	37	29	101	0	398
021	719	257	96	115	131	0	1318
022	375	132	120	55	80	47	809
023	40	46	30	4	12	0	132
024	201	94	51	40	28	1	415
025	69	39	49	24	207	0	388
026	290	112	127	57	95	0	681
027	100	28	21	7	17	0	173
028	85	27	13	8	10	0	143
029	287	169	87	46	91	83	763
030	53	29	23	5	8	1	119
031	19	11	5	4	9	0	48
032	26	39	11	25	61	22	184
033	14	11	9	5	15	1	55
034	4	7	10	2	7	0	30
035	18	42	31	11	29	0	131
037	0	4	1	3	3	2	13
038	3	0	4	0	1	0	8
Total	5494	1958	1130	842	1897	233	11554

Overall Compa-Ratio: 96.4%

Analysis – Internal Pay Practice (cont'd)

Distribution of Employees by Step - Benchmark Jobs Only

Step	# of EEs	% of Total EEs
4	842	7.3%
5	3852	33.3%
6	800	6.9%
7	745	6.4%
8	576	5.0%
9	637	5.5%
10	667	5.8%
11	462	4.0%
12	422	3.7%
13	370	3.2%
14	447	3.9%
15	541	4.7%
16	960	8.3%
70-98	233	2.0%
Total	11554	100.0%

Commentary on Internal Pay Practice

- Overall compa-ratio is 96.4%, indicating that on average, employees are paid below the middle step.
- Of the jobs identified as benchmarks for survey purposes, the number of employees with compa-ratios between 85% and 91% is 5,494 (48% of employees). The number of employees with a compa-ratio greater than 109% is 2,130 (18% of employees).
- 41% of payroll falls in the 85% to 91% compa-ratio grouping and 22% of payroll falls above 109% compa-ratio.
- The largest percent of employees (33%) are paid at step 5. On the other extreme, around 20% of employees (18.9%) are paid at step 14 or above.

Analysis – External Competitiveness – All Participants

- The State and Hay mutually agreed on 232 classifications as benchmark positions. This sample was chosen to ensure that there was a good coverage of all occupational groups and different levels of work.
- For a job family series, the most typical level chosen was the “journey” level.
- 100 Organizations were targeted for participation and data was received from 71. In the opinion of Hay, this is a pleasing response and provides sufficient data to be able to make meaningful and valid comparisons.

Analysis – External Competitiveness – All Participants (cont'd)

- Comparator market organizations were grouped as follows (the numbers in parenthesis show the participants in that group)
 - States (7)
 - Cities (10)
 - Private Sector (21)
 - Counties (11)
 - School Districts (10)
 - Health Systems/Facilities (12)

Analysis – External Competitiveness – All Participants (cont'd)

- Part of the brief given by the State was for Hay to provide data by Occupational Group.
- Set out on the following page is a summary of the survey data by Occupational Group.

Analysis – External Competitiveness – All Participants (cont'd)

State of Kansas - Percent From Survey Median and Average

Occup Code	Occupational Group	% From Med	% From Avg	SOK Inc. Wtd % From Med	SOK Inc. Wtd % From Avg
A1	Accountants, Auditors and Financial Examiners	-11.8%	-10.6%	-10.7%	-9.8%
A2	Public Relations, Marketing and Economic Development Professionals	-5.3%	-7.4%	-5.2%	-3.7%
A3	Regulatory and Compliance Inspectors	-8.3%	-9.6%	-1.0%	-5.6%
A4	General Business Administrators and Managers	0.8%	-10.9%	-9.7%	-9.4%
A5	Real Estate and Property Appraisers	16.1%	9.3%	29.6%	25.6%
A6	Human Resources Professionals and Trainers	-5.0%	-8.9%	-2.5%	-7.3%
B1	Architect and Engineer Professionals and Associates	1.1%	-4.3%	-4.1%	-8.5%
C1	Analysts, Consultants and Planners	11.4%	3.6%	12.8%	2.3%
C3	Science Professionals, Technicians and Technologists	-10.9%	-9.1%	-9.4%	6.2%
D1	Psychologists, Social Workers and Rehabilitation Counselors	-4.3%	-4.0%	-8.0%	-9.5%
D2	Human Services Professionals and Technicians	-2.2%	-2.1%	3.7%	-0.3%
D3	Legal Professionals and Technicians	-16.1%	-20.4%	-24.5%	-26.7%
E1	Archival, Historical, Museum & Library Professionals and Technicians	-1.7%	-10.6%	-0.6%	-3.8%
E2	Graphic and Performing Artists	-17.9%	-22.3%	-20.6%	-22.7%
F1	Non-Licensed Medical and Health Technicians	-5.5%	-11.0%	2.8%	-4.9%
F2	Licensed Medical and Health Professionals and Technicians	-4.1%	-6.3%	6.8%	3.5%
F3	Animal Medical and Health Professionals and Technicians	NA	4.8%	NA	4.8%
K1	Administrative Specialists	-6.6%	-11.5%	-10.0%	-16.0%
K2	Office Support Workers	-16.9%	-19.8%	-12.7%	-16.5%
L1	Protective Services Professionals and Technicians	2.1%	-1.6%	2.3%	-1.1%
M1	Conservation, Horticultural & Wildlife/Forestry Professionals and Technicians	-40.3%	-36.2%	-40.3%	-36.2%
M2	Grain Service Inspectors, Operators and Examiners	NA	NA	NA	NA
N1	Printing Workers	-9.4%	-12.4%	-7.6%	-10.0%
N2	Building and Electronic Trades Workers	-16.9%	-18.0%	-19.9%	-20.3%
N3	Vehicle, Equipment and Aircraft Mechanics/Operators	-9.3%	-13.9%	-3.9%	-7.1%
P1	Information Resource Management Professionals and Technicians	-2.6%	-7.2%	3.8%	-1.9%
P2	Data Processing Professionals and Technicians	-12.2%	-15.6%	-4.1%	-9.2%
P3	Telecommunications Professionals and Technicians	-6.5%	-9.6%	-3.3%	-9.5%
R1	Dietetic, Nutrition and Food Services Professionals and Technicians	-8.4%	-12.7%	-7.5%	-12.5%
R2	Miscellaneous Services Professionals and Workers	-11.1%	-9.9%	-17.0%	-19.0%
	Overall	-7.2%	-9.9%	-5.7%	-7.9%

Analysis – External Competitiveness – All Participants (cont'd)

- The State requested data on those classifications that may warrant priority in terms of potential future funding of salary increases. While level of competitiveness should be considered in conjunction with such factors as turnover, time to fill, quality and quantity of candidates, the further pay of a classification lags the market, the more likely it is that the State will have difficulty attracting and retaining the quantity and quality of candidates it seeks.
- Set out on the following page is a summary of those benchmark classifications for which actual pay **lags** the market median by more than 15% and those benchmark classifications for which actual pay is more than 15% **above** the market median. Tables are sorted by % from market, followed by tables sorted by classification code.

Analysis – External Competitiveness – All Participants (cont'd)

State of Kansas Actual Pay Lags Market Median by Greater than 15% - Sorted by % From Market

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
F1	Rehab Support Worker I	509	7	\$20.2	-36%	-38%
P2	Computer Operations Supervisor	810	16	\$36.6	-35%	-31%
P2	Computer Operations Manager	807	4	\$43.9	-33%	-36%
C3	Environmental Technician II	230	8	\$29.7	-32%	-26%
N2	Electrician	744	13	\$26.6	-32%	-32%
R1	Food Service Manager	901	6	\$33.4	-32%	-30%
N2	Lock System Specialist	750	3	\$27.8	-31%	-28%
N2	Utility Worker	754	150	\$18.0	-31%	-31%
D3	Legal Assistant	315	57	\$30.1	-29%	-31%
N3	Automotive Driver	760	21	\$16.9	-27%	-35%
N2	Plumber	741	9	\$26.4	-27%	-32%
A3	Petroleum Industry Regulatory Technician I	119	4	\$31.5	-26%	-21%
K2	Storekeeper Senior	608	59	\$23.0	-25%	-25%
D1	Social Worker	301	34	\$32.0	-25%	-21%
C3	Environmental Technician IV	231	28	\$41.7	-24%	-25%
P3	Network Control Technician II	820	17	\$39.5	-23%	-26%
N2	Refrigeration and Air Conditioning Service Tech	743	33	\$30.4	-23%	-20%
D3	Attorney I	313	57	\$45.0	-22%	-24%
A1	Accountant IV	103	59	\$50.2	-22%	-24%
E2	Graphic Designer Senior	410	16	\$35.7	-22%	-26%
N3	Mechanic Senior	757	4	\$26.8	-21%	-24%
P3	IT Project Manager	816	11	\$58.2	-21%	-21%
N3	Aviation Technician	756	4	\$40.0	-21%	-23%
C3	Microbiologist I	222	5	\$35.7	-21%	-25%
N2	Power Plant Operator	740	8	\$25.2	-21%	-29%
N2	Buildings System Technician	746	48	\$30.2	-20%	-21%
N2	Carpenter	742	8	\$26.3	-20%	-20%
R2	Custodial Worker	913	198	\$18.2	-19%	-20%

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
A1	State Auditor III	111	36	\$50.8	-19%	-16%
A1	State Auditor II	101	68	\$42.9	-19%	-9%
K2	Office Assistant	609	323	\$19.3	-18%	-19%
P1	Technology Support Technician II	804	33	\$32.7	-18%	-21%
A1	Accountant II	102	99	\$37.7	-17%	-16%
K1	Administrative Officer	602	151	\$33.6	-17%	-23%
R2	Custodial Supervisor	912	71	\$24.7	-17%	-22%
F2	Registered Nurse	512	19	\$37.1	-17%	-16%
P2	Computer Operator I	809	16	\$29.3	-16%	-18%
L1	Warden III	733	4	\$67.3	-16%	-21%
A6	Human Resource Professional III	135	36	\$47.2	-16%	-18%
N2	Physical Plant Supervisor Senior	753	42	\$43.1	-16%	-16%
L1	Juvenile Corrections Officer I	701	218	\$27.1	-15%	-12%
N2	Machinist	751	4	\$29.8	NA*	-24%
D3	Administrative Law Judge	312	6	\$62.1	NA*	-24%
E1	Education Specialist	407	3	\$37.8	NA*	-22%
B1	Landscape Architect II	207	2	\$48.7	NA*	-22%
L1	Motor Carrier Inspector II	726	30	\$31.2	NA*	-21%
E1	Historic Site Curator I	404	9	\$29.8	NA*	-21%
N3	Equipment Body Mechanic	761	5	\$33.0	NA*	-20%
F2	Licensed Mental Health Tech	521	78	\$29.9	NA*	-19%
E2	Media Production Technician	411	11	\$31.4	NA*	-18%
P3	Network Control Supervisor	819	2	\$45.2	NA*	-18%
A1	Financial Examiner Administrator	109	2	\$60.8	NA*	-16%
R2	Cosmetologist	910	1	\$24.6	NA*	-16%
P3	Network Service Supervisor	821	2	\$48.7	NA*	-16%
C3	Agricultural Inspector III	227	14	\$39.4	NA*	-15%

*NA: Data is not available because there are fewer than 5 participants reporting a match.

Analysis – External Competitiveness – All Participants (cont'd)

State of Kansas Actual Pay Lags Market Median by Greater than 15% - Sorted by Classification Code

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
A1	Accountant IV	103	59	\$50.2	-22%	-24%
A1	State Auditor III	111	36	\$50.8	-19%	-16%
A1	State Auditor II	101	68	\$42.9	-19%	-9%
A1	Accountant II	102	99	\$37.7	-17%	-16%
A1	Financial Examiner Administrator	109	2	\$60.8	NA*	-16%
A3	Petroleum Industry Regulatory Technician	119	4	\$31.5	-26%	-21%
A6	Human Resource Professional III	135	36	\$47.2	-16%	-18%
B1	Landscape Architect II	207	2	\$48.7	NA*	-22%
C3	Environmental Technician II	230	8	\$29.7	-32%	-26%
C3	Environmental Technician IV	231	28	\$41.7	-24%	-25%
C3	Microbiologist I	222	5	\$35.7	-21%	-25%
C3	Agricultural Inspector III	227	14	\$39.4	NA*	-15%
D1	Social Worker	301	34	\$32.0	-25%	-21%
D3	Legal Assistant	315	57	\$30.1	-29%	-31%
D3	Attorney I	313	57	\$45.0	-22%	-24%
D3	Administrative Law Judge	312	6	\$62.1	NA*	-24%
E1	Education Specialist	407	3	\$37.8	NA*	-22%
E1	Historic Site Curator I	404	9	\$29.8	NA*	-21%
E2	Graphic Designer Senior	410	16	\$35.7	-22%	-26%
E2	Media Production Technician	411	11	\$31.4	NA*	-18%
F1	Rehab Support Worker I	509	7	\$20.2	-36%	-38%
F2	Registered Nurse	512	19	\$37.1	-17%	-16%
F2	Licensed Mental Health Tech	521	78	\$29.9	NA*	-19%
K1	Administrative Officer	602	151	\$33.6	-17%	-23%
K2	Storekeeper Senior	608	59	\$23.0	-25%	-25%
K2	Office Assistant	609	323	\$19.3	-18%	-19%
L1	Warden III	733	4	\$67.3	-16%	-21%
L1	Juvenile Corrections Officer I	701	218	\$27.1	-15%	-12%
L1	Motor Carrier Inspector II	726	30	\$31.2	NA*	-21%

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
N2	Electrician	744	13	\$26.6	-32%	-32%
N2	Lock System Specialist	750	3	\$27.8	-31%	-28%
N2	Utility Worker	754	150	\$18.0	-31%	-31%
N2	Plumber	741	9	\$26.4	-27%	-32%
N2	Refrigeration and Air Conditioning Service	743	33	\$30.4	-23%	-20%
N2	Power Plant Operator	740	8	\$25.2	-21%	-29%
N2	Buildings System Technician	746	48	\$30.2	-20%	-21%
N2	Carpenter	742	8	\$26.3	-20%	-20%
N2	Physical Plant Supervisor Senior	753	42	\$43.1	-16%	-16%
N2	Machinist	751	4	\$29.8	NA*	-24%
N3	Automotive Driver	760	21	\$16.9	-27%	-35%
N3	Mechanic Senior	757	4	\$26.8	-21%	-24%
N3	Aviation Technician	756	4	\$40.0	-21%	-23%
N3	Equipment Body Mechanic	761	5	\$33.0	NA*	-20%
P1	Technology Support Technician II	804	33	\$32.7	-18%	-21%
P2	Computer Operations Supervisor	810	16	\$36.6	-35%	-31%
P2	Computer Operations Manager	807	4	\$43.9	-33%	-36%
P2	Computer Operator I	809	16	\$29.3	-16%	-18%
P3	Network Control Technician II	820	17	\$39.5	-23%	-26%
P3	IT Project Manager	816	11	\$58.2	-21%	-21%
P3	Network Control Supervisor	819	2	\$45.2	NA*	-18%
P3	Network Service Supervisor	821	2	\$48.7	NA*	-16%
R1	Food Service Manager	901	6	\$33.4	-32%	-30%
R2	Custodial Worker	913	198	\$18.2	-19%	-20%
R2	Custodial Supervisor	912	71	\$24.7	-17%	-22%
R2	Cosmetologist	910	1	\$24.6	NA*	-16%

*NA: Data is not available because there are fewer than 5 participants reporting a match.

1-11

Analysis – External Competitiveness – All Participants (cont'd)

State of Kansas Actual Pay Above Market Median by Greater than 15% - Sorted by % From Market

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
A5	Property Appraiser II	126	18	\$47.9	42%	42%
L1	Special Agent in Charge - KBI	729	9	\$73.3	27%	24%
A5	Property Appraiser III	127	10	\$55.6	27%	18%
B1	Professional Environmental Engineer III	213	9	\$76.7	23%	20%
L1	Highway Patrol Master/Technical Trooper	702	184	\$57.7	23%	24%
L1	Senior Special Agent - KBI	711	48	\$62.5	22%	27%
C1	Financial Economist	217	4	\$66.3	18%	13%
P1	Technology Support Consultant II	801	73	\$42.0	17%	9%
C1	Research Analyst III	214	29	\$40.8	15%	-1%
F2	Mental Health Developmental Disability Technician	510	751	\$26.6	15%	14%
D2	Volunteer Services Coordinator	310	8	\$32.3	NA*	15%
R2	Barber/Beauty Shop Inspector	909	1	\$31.3	NA*	17%
C3	Environmental Scientist II	226	113	\$47.5	NA*	30%

*NA: Data is not available because there are fewer than 5 participants reporting a match.

Analysis – External Competitiveness – All Participants (cont'd)

State of Kansas Actual Pay Above Market Median by Greater than 15% - Sorted by Classification Code

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
A5	Property Appraiser III	127	10	\$55.6	27%	18%
A5	Property Appraiser II	126	18	\$47.9	42%	42%
B1	Professional Environmental Engineer III	213	9	\$76.7	23%	20%
C1	Research Analyst III	214	29	\$40.8	15%	-1%
C1	Financial Economist	217	4	\$66.3	18%	13%
C3	Environmental Scientist II	226	113	\$47.5	NA*	30%
D2	Volunteer Services Coordinator	310	8	\$32.3	NA*	15%
F2	Mental Health Developmental Disability Technician	510	751	\$26.6	15%	14%
L1	Highway Patrol Master/Technical Trooper	702	184	\$57.7	23%	24%
L1	Senior Special Agent - KBI	711	48	\$62.5	22%	27%
L1	Special Agent in Charge - KBI	729	9	\$73.3	27%	24%
P1	Technology Support Consultant II	801	73	\$42.0	17%	9%
R2	Barber/Beauty Shop Inspector	909	1	\$31.3	NA*	17%

*NA: Data is not available because there are fewer than 5 participants reporting a match.

Commentary on External Competitiveness – All Participants

- Overall, the State of Kansas salary practice lags noticeably behind both the median and average of the market.
- The State of Kansas trails the market in all categories on aggregate:
 - 6 – 7% behind the Median
 - 9 – 10% behind the Average
- The following Occupational Codes trail the market median by >10%
 - A1 Accountants, Auditors and Financial Examiners
 - C3 Science Professionals, Technicians and Technologists
 - D3 Legal Professionals and Technicians
 - E2 Graphic and Performing Artists
 - K2 Office Support Workers
 - M1 Conservation, Horticultural & Wildlife/Forestry Profs and Technicians
 - N2 Building and Electronic Trades Workers
 - P2 Data Processing Professionals and Technicians
 - R2 Miscellaneous Services Professionals and Workers

Commentary on External Competitiveness - All Participants

- The following Occupational Codes lead the market median by >10%
 - C1 Analysts, Consultants and Planners
 - A5 Real Estate and Property Appraisers

Analysis – External Competitiveness – States Only

- Set out on pages 24-29 is data showing the results of the survey for State participants only.
- Part of the brief given by the State was for Hay to provide data by Occupational Group.
- Set out on the following page is a summary of the survey data by Occupational Group for State participants only.

Analysis – External Competitiveness – States Only (cont'd)

State of Kansas - Percent From Survey Median and Average - States Only

Occup Code	Occupational Group	% From Med	% From Avg	SOK Inc. Wtd % From Med	SOK Inc. Wtd % From Avg
A1	Accountants, Auditors and Financial Examiners	0.5%	-5.4%	5.5%	1.1%
A2	Public Relations, Marketing and Economic Development Professionals	-1.2%	-3.4%	-0.6%	-1.7%
A3	Regulatory and Compliance Inspectors	-7.7%	-9.0%	0.4%	-5.0%
A4	General Business Administrators and Managers	0.8%	-10.9%	-9.7%	-9.4%
A5	Real Estate and Property Appraisers	4.3%	1.6%	4.7%	11.5%
A6	Human Resources Professionals and Trainers	4.5%	-2.6%	4.8%	-1.0%
B1	Architect and Engineer Professionals and Associates	6.2%	-1.9%	11.1%	-0.9%
C1	Analysts, Consultants and Planners	12.3%	4.9%	10.8%	3.6%
C3	Science Professionals, Technicians and Technologists	-10.9%	-13.2%	-9.4%	-7.8%
D1	Psychologists, Social Workers and Rehabilitation Counselors	1.3%	-0.8%	-1.9%	-6.2%
D2	Human Services Professionals and Technicians	-2.2%	-2.1%	3.7%	-0.3%
D3	Legal Professionals and Technicians	-1.8%	-18.3%	-0.1%	-22.4%
E1	Archival, Historical, Museum & Library Professionals and Technicians	-0.7%	-10.3%	0.1%	-3.6%
E2	Graphic and Performing Artists	-1.8%	-11.5%	-0.3%	-10.7%
F1	Non-Licensed Medical and Health Technicians	-4.0%	-8.7%	2.9%	0.4%
F2	Licensed Medical and Health Professionals and Technicians	-3.9%	-7.1%	7.0%	3.3%
F3	Animal Medical and Health Professionals and Technicians	NA	4.8%	NA	4.8%
K1	Administrative Specialists	3.0%	-5.1%	-4.2%	-12.4%
K2	Office Support Workers	-9.2%	-9.0%	-4.3%	-1.4%
L1	Protective Services Professionals and Technicians	1.4%	-1.5%	0.9%	-3.7%
M1	Conservation, Horticultural & Wildlife/Forestry Professionals and Technicians	NA	-21.2%	NA	-21.2%
M2	Grain Service Inspectors, Operators and Examiners	NA	NA	NA	NA
N1	Printing Workers	NA	-4.1%	NA	-6.2%
N2	Building and Electronic Trades Workers	-15.3%	-15.6%	-11.1%	-14.0%
N3	Vehicle, Equipment and Aircraft Mechanics/Operators	-4.2%	-12.6%	-1.0%	-3.2%
P1	Information Resource Management Professionals and Technicians	-1.7%	-3.2%	6.2%	2.5%
P2	Data Processing Professionals and Technicians	-5.7%	-10.1%	2.5%	-2.0%
P3	Telecommunications Professionals and Technicians	-4.5%	-4.4%	0.3%	-3.7%
R1	Dietetic, Nutrition and Food Services Professionals and Technicians	-11.3%	-15.5%	-14.1%	-18.5%
R2	Miscellaneous Services Professionals and Workers	-3.7%	-4.9%	-8.1%	-11.2%
	Overall	-2.1%	-6.9%	-0.1%	-4.8%

Analysis – External Competitiveness – States Only (cont'd)

- Set out on the following page is a summary of those benchmark classifications for which actual pay **lags** the market median by more than 15% and those benchmark classifications for which actual pay is more than 15% **above** the market median as compared to the State only data. Tables are sorted by % from market, followed by tables sorted by classification code.

Analysis – External Competitiveness – States Only (cont'd)

States Only

State of Kansas Actual Pay Lags Market Median by Greater than 15% - Sorted by % From Market

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	Avg Step Below Middle	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg	SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	Avg Step Below Middle	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
C3	Environmental Technician II	230	8	Yes	\$29.7	-37%	-26%	D3	Attorney I	313	57	Yes	\$45.0	NA*	-27%
F1	Rehab Support Worker I	509	7	Yes	\$20.2	-36%	-38%	P2	Computer Operations Supervisor	810	16	Yes	\$36.6	NA*	-27%
C3	Environmental Technician IV	231	28	Yes	\$41.7	-34%	-40%	N3	Aviation Technician	756	4		\$40.0	NA*	-25%
R1	Food Service Manager	901	6		\$33.4	-33%	-35%	D3	Administrative Law Judge	312	6		\$62.1	NA*	-24%
N2	Utility Worker	754	150	Yes	\$18.0	-29%	-25%	E1	Education Specialist	407	3		\$37.8	NA*	-22%
A1	Accountant IV	103	59	Yes	\$50.2	-27%	-27%	B1	Landscape Architect II	207	2		\$48.7	NA*	-22%
N3	Automotive Driver	760	21	Yes	\$16.9	-27%	-36%	L1	Motor Carrier Inspector II	726	30		\$31.2	NA*	-21%
A3	Petroleum Industry Regulatory Technician	119	4	Yes	\$31.5	-26%	-21%	M1	Grounds Maintenance Super I	734	8	Yes	\$25.7	NA*	-21%
N2	Plumber	741	9	Yes	\$26.4	-25%	-26%	E1	Historic Site Curator I	404	9		\$29.8	NA*	-21%
N2	Electrician	744	13	Yes	\$26.6	-23%	-28%	N3	Equipment Body Mechanic	761	5		\$33.0	NA*	-20%
P2	Computer Operations Manager	807	4		\$43.9	-23%	-25%	D3	Legal Assistant	315	57	Yes	\$30.1	NA*	-19%
R1	Cook	902	60	Yes	\$19.9	-22%	-23%	F2	Licensed Mental Health Tech	521	78		\$29.9	NA*	-19%
C3	Microbiologist I	222	5	Yes	\$35.7	-21%	-25%	E2	Media Production Technician	411	11	Yes	\$31.4	NA*	-18%
N2	Power Plant Operator	740	8		\$25.2	-21%	-29%	P3	Network Control Supervisor	819	2	Yes	\$45.2	NA*	-18%
F2	Registered Nurse Administrator	514	6		\$58.9	-20%	-19%	N2	Physical Plant Supervisor Senior	753	42		\$43.1	NA*	-17%
P3	IT Project Manager	816	11	Yes	\$58.2	-20%	-17%	A1	Financial Examiner Administrator	109	2	Yes	\$60.8	NA*	-16%
P2	Computer Operator I	809	16	Yes	\$29.3	-19%	-17%	R2	Cosmetologist	910	1		\$24.6	NA*	-16%
N2	Carpenter	742	8	Yes	\$26.3	-18%	-17%	P3	Network Service Supervisor	821	2	Yes	\$48.7	NA*	-16%
F2	Registered Nurse	512	19		\$37.1	-18%	-17%	C3	Agricultural Inspector III	227	14	Yes	\$39.4	NA*	-15%
K2	Storekeeper Senior	608	59	Yes	\$23.0	-17%	-14%	R2	Custodial Manager	911	18		\$31.5	NA*	-15%
R1	Food Service Supervisor	904	38	Yes	\$24.8	-16%	-24%								
B1	Architect II	208	3		\$46.0	-16%	-20%								
L1	Warden III	733	4	Yes	\$67.3	-16%	-21%								
L1	Juvenile Corrections Officer I	701	218	Yes	\$27.1	-15%	-12%								
N2	Refrigeration and Air Conditioning Service	743	33	Yes	\$30.4	-15%	-16%								

*NA: Data is not available because there are fewer than 5 participants reporting a match.

- Positions no longer lag market Median by greater than 15% when compared to States Only.**
- N3 Mechanic Senior Still lag when comparing to Market Average instead of Median
 - R2 Custodial Worker Still lag when comparing to Market Average instead of Median
 - K1 Administrative Officer Still lag when comparing to Market Average instead of Median
 - K2 Office Assistant
 - P1 Technology Support Technician II
 - D1 Social Worker
 - A1 State Auditor III
 - A1 Accountant II
 - A6 Human Resource Professional III
 - R2 Custodial Supervisor
 - A1 State Auditor II
 - N2 Buildings System Technician
 - P3 Network Control Technician II
 - E2 Graphic Designer Senior

- Positions From Previous 15% No Longer 3 or More Participants**
- N2 Lock System Specialist
 - N2 Machinist

Analysis – External Competitiveness – States Only (cont'd)

States Only

State of Kansas Actual Pay Lags Market Median by Greater than 15% - Sorted by Classification Code

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	Avg Step Below Middle Step	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
A1	Accountant IV	103	59	Yes	\$50.2	-27%	-27%
A1	Financial Examiner Administrator	109	2	Yes	\$60.8	NA*	-16%
A3	Petroleum Industry Regulatory Technician	119	4	Yes	\$31.5	-26%	-21%
B1	Architect II	208	3		\$46.0	-16%	-20%
B1	Landscape Architect II	207	2		\$48.7	NA*	-22%
C3	Environmental Technician II	230	8	Yes	\$29.7	-37%	-26%
C3	Environmental Technician IV	231	28	Yes	\$41.7	-34%	-40%
C3	Microbiologist I	222	5	Yes	\$35.7	-21%	-25%
C3	Agricultural Inspector III	227	14	Yes	\$39.4	NA*	-15%
D3	Attorney I	313	57	Yes	\$45.0	NA*	-27%
D3	Administrative Law Judge	312	6		\$62.1	NA*	-24%
D3	Legal Assistant	315	57	Yes	\$30.1	NA*	-19%
E1	Education Specialist	407	3		\$37.8	NA*	-22%
E1	Historic Site Curator I	404	9		\$29.8	NA*	-21%
E2	Media Production Technician	411	11	Yes	\$31.4	NA*	-18%
F1	Rehab Support Worker I	509	7	Yes	\$20.2	-36%	-38%
F2	Registered Nurse Administrator	514	6		\$58.9	-20%	-19%
F2	Registered Nurse	512	19		\$37.1	-18%	-17%
F2	Licensed Mental Health Tech	521	78		\$29.9	NA*	-19%
K2	Storekeeper Senior	608	59	Yes	\$23.0	-17%	-14%
L1	Warden III	733	4	Yes	\$67.3	-16%	-21%
L1	Juvenile Corrections Officer I	701	218	Yes	\$27.1	-15%	-12%
L1	Motor Carrier Inspector II	726	30		\$31.2	NA*	-21%

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	Avg Step Below Middle Step	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
M1	Grounds Maintenance Super I	734	8	Yes	\$25.7	NA*	-21%
N2	Utility Worker	754	150	Yes	\$18.0	-29%	-25%
N2	Plumber	741	9	Yes	\$26.4	-25%	-26%
N2	Electrician	744	13	Yes	\$26.6	-23%	-28%
N2	Power Plant Operator	740	8		\$25.2	-21%	-29%
N2	Carpenter	742	8	Yes	\$26.3	-18%	-17%
N2	Refrigeration and Air Conditioning	743	33	Yes	\$30.4	-15%	-16%
N2	Physical Plant Supervisor Senior	753	42		\$43.1	NA*	-17%
N3	Automotive Driver	760	21	Yes	\$16.9	-27%	-36%
N3	Aviation Technician	756	4		\$40.0	NA*	-25%
N3	Equipment Body Mechanic	761	5		\$33.0	NA*	-20%
P2	Computer Operations Manager	807	4		\$43.9	-23%	-25%
P2	Computer Operator I	809	16	Yes	\$29.3	-19%	-17%
P2	Computer Operations Supervisor	810	16	Yes	\$36.6	NA*	-27%
P3	IT Project Manager	816	11	Yes	\$58.2	-20%	-17%
P3	Network Control Supervisor	819	2	Yes	\$45.2	NA*	-18%
P3	Network Service Supervisor	821	2	Yes	\$48.7	NA*	-16%
R1	Food Service Manager	901	6		\$33.4	-33%	-35%
R1	Cook	902	60	Yes	\$19.9	-22%	-23%
R1	Food Service Supervisor	904	38	Yes	\$24.8	-16%	-24%
R2	Cosmetologist	910	1		\$24.6	NA*	-16%
R2	Custodial Manager	911	18		\$31.5	NA*	-15%

*NA: Data is not available because there are fewer than 5 participants reporting a match.

Positions no longer lag market Median by greater than 15% when compared to States Only.

A1	State Auditor III	
A1	Accountant II	
A1	State Auditor II	
A6	Human Resource Professional III	
D1	Social Worker	
E2	Graphic Designer Senior	
K1	Administrative Officer	Still lag when comparing to Market Average instead of Median
K2	Office Assistant	
N2	Buildings System Technician	
N3	Mechanic Senior	Still lag when comparing to Market Average instead of Median
P1	Technology Support Technician II	
P3	Network Control Technician II	
R2	Custodial Worker	Still lag when comparing to Market Average instead of Median
R2	Custodial Supervisor	

Positions From Previous 15% No Longer 3 or More Participants

N2	Lock System Specialist
N2	Machinist

Analysis – External Competitiveness – States Only (cont'd)

States Only

State of Kansas Actual Pay Above Market Median by Greater than 15% - Sorted by % From Market

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	Avg Step Below Middle Step	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
B1	Professional Civil Engineer II	203	92		\$69.1	35%	26%
L1	Special Agent in Charge - KBI	729	9		\$73.3	27%	24%
L1	Fire Prevention Inspector	720	18		\$44.4	26%	18%
B1	Professional Environmental Engineer III	213	9		\$76.7	23%	20%
L1	Highway Patrol Master/Technical Trooper	702	184		\$57.7	23%	24%
C1	Financial Economist	217	4		\$66.3	21%	15%
B1	Engineering Technician Specialist	202	111	Yes	\$43.5	21%	9%
A1	Accounting Specialist	106	175	Yes	\$29.9	21%	15%
K1	Procurement Officer IV	605	11	Yes	\$55.7	17%	5%
A5	Property Appraiser III	127	10		\$55.6	17%	8%
P1	Technology Support Consultant II	801	73	Yes	\$42.0	17%	11%
C1	Research Analyst III	214	29	Yes	\$40.8	15%	-1%
F2	Mental Health Developmental Disability Technician	510	751	Yes	\$26.6	15%	14%
D2	Volunteer Services Coordinator	310	8	Yes	\$32.3	NA*	15%
P3	IT Security Analyst II	815	5	Yes	\$57.5	NA*	15%
R2	Barber/Beauty Shop Inspector	909	1		\$31.3	NA*	17%
F1	Client Training Supervisor	507	82	Yes	\$34.1	NA*	18%
A5	Property Appraiser II	126	18		\$47.9	NA*	21%
L1	Senior Special Agent - KBI	711	48		\$62.5	NA*	27%

*NA: Data is not available because there are fewer than 5 participants reporting a match.

Positions no longer above market Median by greater than 15% when compared to States Only.

C3 Environmental Scientist II

Bolded, Above, are new to the group.

Analysis – External Competitiveness – States Only (cont'd)

States Only

State of Kansas Actual Pay Above Market Median by Greater than 15% - Sorted by Classification Code

SOK OCC Code	Benchmark Position	Survey Code	SOK # of EEs	Avg Step Below Middle Step	SOK Avg Pay	SOK Median Salary % From Survey Med	SOK Salary % From Survey Avg
A1	Accounting Specialist	106	175	Yes	\$29.9	21%	15%
A5	Property Appraiser III	127	10		\$55.6	17%	8%
A5	Property Appraiser II	126	18		\$47.9	NA*	21%
B1	Professional Civil Engineer II	203	92		\$69.1	35%	26%
B1	Professional Environmental Engineer III	213	9		\$76.7	23%	20%
B1	Engineering Technician Specialist	202	111	Yes	\$43.5	21%	9%
C1	Financial Economist	217	4		\$66.3	21%	15%
C1	Research Analyst III	214	29	Yes	\$40.8	15%	-1%
D2	Volunteer Services Coordinator	310	8	Yes	\$32.3	NA*	15%
F1	Client Training Supervisor	507	82	Yes	\$34.1	NA*	18%
F2	Mental Health Developmental Disability Technician	510	751	Yes	\$26.6	15%	14%
K1	Procurement Officer IV	605	11	Yes	\$55.7	17%	5%
L1	Special Agent in Charge - KBI	729	9		\$73.3	27%	24%
L1	Fire Prevention Inspector	720	18		\$44.4	26%	18%
L1	Highway Patrol Master/Technical Trooper	702	184		\$57.7	23%	24%
L1	Senior Special Agent - KBI	711	48		\$62.5	NA*	27%
P1	Technology Support Consultant II	801	73	Yes	\$42.0	17%	11%
P3	IT Security Analyst II	815	5	Yes	\$57.5	NA*	15%
R2	Barber/Beauty Shop Inspector	909	1		\$31.3	NA*	17%

*NA: Data is not available because there are fewer than 5 participants reporting a match.

Positions no longer above market Median by greater than 15% when compared to States Only.

C3 Environmental Scientist II

Bolded, Above, are new to the group.

Summary of External Competitiveness

- Overall, the State of Kansas salary practice lags noticeably behind both the median and average of the market.
- The State of Kansas trails the market in all categories on aggregate:

	All Participants	States Only	All Excluding States	Public	Public Excluding States	Private
% Behind Median	6-7%	2%	11-15%	2-4%	10-13%	15-16%
% Behind Average	8-10%	7-8%	13-14%	8%	10-11%	17-18%

Construct of Salary Ranges

- The State's current pay structure consists of 34 pay grades, each of which have 13 steps.
- The salary spread from the minimum to maximum is 34% and each step is approximately 2.5% apart.
- Analysis of data from the survey shows the following:
 - Of those using steps, the median number of steps is 13.
 - Only one of the states surveyed reported using a step system.
 - 70% of cities reported using steps.
 - 70% of counties reported using steps.
 - 50% of school districts reported using steps.
 - The median salary range spread from minimum to maximum in the market is 50%.

APPENDIX I

Definition of Terms

- The selected Comparator Group organizations are ranked according to the following percentile measures :
- P75 is the 75th Percentile, meaning that 25% of the data is above this point, and 75% is below.
- P50 is the Median, meaning that 50% the data is above this point, and 50% is below.
- P25 is the 25th Percentile, meaning that 75% of the data is above this point, and 25% is below.
- Average is the sum of the data for each benchmark position divided by the number of participants for that position.

Definition of Terms (cont'd)

- State of Kansas Average Pay refers to the average of annualized base salaries for incumbents in the benchmark position.
- Annual Range Midpoint refers to the middle of the salary range.
- Compa-ratio refers to an actual salary divided by the corresponding salary range midpoint.
- Overall Compa-ratio refers to the sum of the actual salaries divided by the sum of the salary range midpoints.

APPENDIX II

List of Survey Participants

Participants for the 2006 State of Kansas Customized Compensation Survey 100 Participants (71 Received)

Cities (14)	Status (10)	Counties (19)	Status (11)	School Districts (15)	Status (10)
Emporia	Yes	Barton	Yes	Blue Valley	Yes
Hays	Yes	Butler	No	Derby	No
Hutchinson	Yes	Cowley	No	Emporia	Yes
Kansas City	No	Crawford	No	Garden City	Yes
Larned	Yes	Douglas	No	Hays	Yes
Lawrence	Yes	Ellis	Yes	Kansas City, Kansas	No
Lenexa	Yes	Finney	No	Larned	No
Manhattan	Yes	Johnson	Yes	Lawrence	Yes
Olathe	Yes	Labette	Yes	Manhattan	No
Overland Park	Yes	Leavenworth	Yes	Olathe	Yes
Salina	Yes	Lyon	Yes	Pittsburg	Yes
Shawnee	No	Miami	Yes	Salina	Yes
Topeka	No	Pawnee	No	Shawnee Mission Public School	Yes
Wichita	No	Reno	No	Topeka Public Schools	Yes
		Riley	Yes	Wichita	No
		Saline	Yes		
		Sedgwick	Yes		
		Shawnee	Yes		
		Wyandotte	No		

List of Survey Participants (cont'd)

States (8)	Status (7)	Private Companies (32)	Status (21)	Healthcare Facilities (13)	Status (12)
Arkansas	No	American Century Investments	Yes	Central Kansas Medical Center	Yes
Colorado	Yes	Applebee's International	Yes	Children's Mercy Hospital	Yes
Iowa	Yes	Blue Cross and Blue Shield of Kansas	Yes	Heartland Regional Medical Center	Yes
Missouri	Yes	Blue Cross Blue Shield of Kansas City, MO	Yes	Kansas Rehabilitation Hospital	Yes
Nebraska	Yes	Burlington Northern Santa Fe	No	Saint Luke's Health System and Hospitals	Yes
New Mexico	Yes	Cessna Aircraft Co.	Yes	Shawnee Mission Medical Center	Yes
Oklahoma	Yes	Coffeyville Resources	Yes	Sisters of Mercy Health System	Yes
Wyoming	Yes	Debold Larsen & Associates Inc.	Yes	Stormont Vail Health Services	Yes
		Deere	Yes	Truman Medical Center	Yes
		Excel Corp (Cargill)	Yes	Via Christi Regional Medical Center	Yes
		Farmland Foods	Yes	Wesley Medical Center	Yes
		Hallmark Cards	Yes	Olathe Medical Center Wellness	No
		Helzberg Diamonds	Yes	Sisters of Charity	Yes
		Jostens Printing and Publishing	No		
		Kansas City Life Insurance	Yes		
		Reser's Fine Foods	No		
		Southern Union -- Missouri Gas Energy	Yes		
		Terracon	Yes		
		Westar Energy	No		
		Kirkham-Michael	Yes		
		Spirit Aero Systems	No		
		Payless ShoeSource	Yes		
		Security Benefit Group of Companies	Yes		
		Tyson Fresh Meats	No		
		Quintiles	Yes		
		PEC (Professional Engineering Consultants)	No		
		HNTB Corporation (Kansas)	Yes		
		Geotechnical Services Inc. (GSI)	No		
		Environmental Works Inc.	No		
		Burns & McDonell	No		
		Johnson County Department of Environment	Yes		
		Johnson County Water District	Yes		
		Bombardier Aerospace Security	Yes		

SENATE BILL No. 11

By Joint Committee on Administrative Rules and Regulations

12-20

9 AN ACT concerning facilities for the treatment of alcoholism and
10 intoxication.

; amending KSA 59-29b46 and repealing the existing section

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. For the purposes of this act: (a) "Alcoholic" means a per-
14 son with an alcohol or substance abuse problem" as such term is defined
15 in K.S.A. 59-29b46 and amendments thereto.

the alcoholism treatment facilities licensing

16 (b) "Care or treatment" means such necessary services as are in the
17 best interests of the physical and mental health of the patient.

18 (c) "Committee" means the Kansas citizens committee on alcohol
19 and other drug abuse.

20 (d) "Counselor" means a "state certified alcohol and drug abuse
21 counselor" as such term is defined in K.S.A. 59-29b46 and amendments
22 thereto.

23 (e) "Department" means the department of social and rehabilitation
24 services.

25 (f) "Designated state funded assessment center" or "assessment cen-
26 ter" means a treatment facility designated by the secretary.

27 (g) "Discharge" shall have the meaning ascribed to it in K.S.A. 59-
28 29b46 and amendments thereto.

29 (h) "Emergency service patrol" means a patrol established under
30 K.S.A. 65-4056 and amendments thereto.

31 (i) "Government unit" means any county, municipality or other po-
32 litical subdivision of the state; or any department, division, board or other
33 agency of any of the foregoing.

34 (j) "Head of the treatment facility" shall have the meaning ascribed
35 to it in K.S.A. 59-29b46 and amendments thereto.

36 (k) "Incapacitated by alcohol" shall have the meaning ascribed to it
37 in K.S.A. 59-29b46 and amendments thereto.

38 (l) "Intoxicated individual" means an individual whose mental or
39 physical functioning is impaired as a result of the use of alcohol.

who is under the influence of alcohol or drugs or both

40 (m) "Law enforcement officer" shall have the meaning ascribed to it
41 in K.S.A. 59-29b46 and amendments thereto.

42 (n) "Patient" shall have the meaning ascribed to it in K.S.A. 59-29b46
and amendments thereto.

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1 (o) "Private treatment facility" shall have the meaning ascribed to it
in K.S.A. 59-29b46 and amendments thereto.

2 (p) "Public treatment facility" shall have the meaning ascribed to it
3 in K.S.A. 59-29b46 and amendments thereto.

4 (q) "Secretary" means the secretary of the department of social and
5 rehabilitation services.

6 (r) "Treatment" shall have the meaning ascribed to it in K.S.A. 59-
7 29b46 and amendments thereto.

8 (s) "Treatment facility" shall have the meaning ascribed to it in K.S.A.
9 59-29b46 and amendments thereto.

10 (t) The terms defined in K.S.A. 59-3051, and amendments thereto,
11 shall have the meanings provided by that section.

12 Sec. 2. ~~(a) Except as provided in subsection (b), for the period com-~~
13 ~~mencing on July 1, 1998, and ending on the effective date of this act, any~~
14 ~~action taken by the secretary of the department of social and rehabilitation~~
15 ~~services in the performance of any duty assigned to the secretary by any~~
16 ~~statute listed in section 3, and amendments thereto, shall be deemed to~~
17 ~~have been authorized and done in compliance with the provisions of such~~
18 ~~statute in existence at the time of the performance of such duty and the~~
19 ~~performance of such duty is hereby validated.~~

20 ~~(b) The savings provisions of subsection (a) shall not apply to the~~
21 ~~promulgation and adoption of any rules and regulations pursuant to~~
22 ~~K.S.A. 65-4001 et seq., and amendments thereto, which pertain to alco-~~
23 ~~holism and intoxication treatment.~~

24 Sec. 3. K.S.A. 65-4001, 65-4002, 65-4006, 65-4007, 65-4011 through
25 65-4020, 65-4022 through 65-4024, 65-4056, section 1, section 2 and sec-
26 tion 3, and amendments thereto, shall be known and may be cited as the
27 alcoholism treatment facilities licensing act.

28 Sec. 4. This act shall take effect and be in force from and after its
29 publication in the statute book.

For

Sec. 4. KSA 59-29b46 is hereby amended to read as follows:
59-29b46. [See attached.]
Sec. 5. KSA 59-29b46 is hereby repealed.
Renumber Sec. 4 as Sec. 6.

Sec. 4. K.S.A. 59-29b46 is hereby amended to read as follows: 59-29b46. When used in the care and treatment act for persons with an alcohol or substance abuse problem:

(a) "Discharge" means the final and complete release from treatment, by either the head of a treatment facility acting pursuant to K.S.A. 59-29b50 and amendments thereto or by an order of a court issued pursuant to K.S.A. 59-29b73 and amendments thereto.

(b) "Head of a treatment facility" means the administrative director of a treatment facility or such person's designee.

(c) "Law enforcement officer" shall have the meaning ascribed to it in K.S.A. 22-2202 and amendments thereto.

(d) "Other facility for care or treatment" means any mental health clinic, medical care facility, nursing home, the detox units at either Osawatomie state hospital or Larned state hospital, any physician or any other institution or individual authorized or licensed by law to give care or treatment to any person.

(e) "Patient" means a person who is a voluntary patient, a proposed patient or an involuntary patient.

(1) "Voluntary patient" means a person who is receiving treatment at a treatment facility pursuant to K.S.A. 59-29b49 and amendments thereto.

(2) "Proposed patient" means a person for whom a petition pursuant to K.S.A. 59-29b52 or 59-29b57 and amendments thereto has been filed.

(3) "Involuntary patient" means a person who is receiving treatment under order of a court or a person admitted and detained by a treatment facility pursuant to an application filed pursuant to subsection (b) or (c) of K.S.A. 59-29b54 and amendments thereto.

(f) "Person with an alcohol or substance abuse problem" means a person who: (1) Lacks self-control as to the use of alcoholic beverages or any substance as defined in subsection (k); or

(2) uses alcoholic beverages or any substance as defined in subsection (k) to the extent that the person's health may be substantially impaired or endangered without treatment.

(g) (1) "Person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment" means a person with an alcohol or substance abuse problem, as defined in subsection (f), who also is incapacitated by alcohol or any substance and is likely to cause harm to self or others.

(2) "Incapacitated by alcohol or any substance" means that the person, as the result of the use of alcohol or any substance as defined in subsection (k), has impaired judgment resulting in the person: (A) Being incapable of realizing and making a rational decision with respect to the need for treatment; or

(B) lacking sufficient understanding or capability to make or communicate responsible decisions concerning either the person's well-being or estate.

(3) "Likely to cause harm to self or others" means that the person, by reason of the person's use of alcohol or any substance: (A) Is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage; except that if the harm threatened, attempted or caused is only harm to the property of another, the harm must be of such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty; or

(B) is substantially unable, except for reason of indigency, to provide for any of the person's basic needs, such as food, clothing, shelter, health or safety, causing a substantial deterioration of

the person's ability to function on the person's own.

(h) "Physician" means a person licensed to practice medicine and surgery as provided for in the Kansas healing arts act or a person who is employed by a state psychiatric hospital or by an agency of the United States and who is authorized by law to practice medicine and surgery within that hospital or agency.

(i) "Psychologist" means a licensed psychologist, as defined by K.S.A. 74-5302 and amendments thereto.

(j) "State certified alcohol and drug abuse counselor" means a person approved by the secretary of social and rehabilitation services to perform assessments using the American Society of Addiction Medicine criteria and employed at a state funded and designated assessment center.

(k) "Substance" means: (1) The same as the term "controlled substance" as defined in K.S.A. 65-4101 and amendments thereto; or

(2) fluorocarbons, toluene or volatile hydrocarbon solvents.

(l) "Treatment" means the broad range of emergency, outpatient, intermediate and inpatient services and care, including diagnostic evaluation, medical, psychiatric, psychological and social service care, vocational rehabilitation and career counseling, which may be extended to persons with an alcohol or substance abuse problem.

(m) (1) "Treatment facility" means a treatment program, public or private treatment facility, or any facility of the United States government available to treat a person for an alcohol or other substance abuse problem, but such term shall not include a licensed medical care facility, a licensed adult care home, a facility licensed under K.S.A. 75-3307b and amendments thereto, a community-based alcohol and drug safety action program certified under K.S.A. 8-1008 and amendments thereto, and performing only those functions for which the program is certified to perform under K.S.A. 8-1008 and amendments thereto, or a psychologist professional licensed by the behavioral sciences regulatory board to diagnose and treat mental disorders at the independent level or a physician, who may treat in the usual course of the psychologist's behavioral sciences regulatory board licensee's or physician's professional practice individuals incapacitated by alcohol or other substances, but who are not exclusively primarily engaged in the usual course of the individual's professional practice in treating such individuals, or any state institution, even if detoxification services may have been obtained at such institution.

(2) "Private treatment facility" means a private agency providing facilities for the care and treatment or lodging of persons with either an alcohol or other substance abuse problem and meeting the standards prescribed in either K.S.A. 65-4013 or 65-4603 and amendments thereto, and licensed under either K.S.A. 65-4014 or 65-4607 and amendments thereto.

(3) "Public treatment facility" means a treatment facility owned and operated by any political subdivision of the state of Kansas and licensed under either K.S.A. 65-4014 or 65-4603 and amendments thereto, as an appropriate place for the care and treatment or lodging of persons with an alcohol or other substance abuse problem.

(n) The terms defined in K.S.A. 59-3051 and amendments thereto shall have the meanings provided by that section.



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**Senate Ways and Means Committee
January 25, 2007**

Testimony in Support of Senate Bill 21

**Robin Kempf
Interim General Counsel**

Chairman Umbarger and Members of the Committee, thank you for the opportunity to appear before you this morning to testify in support of Senate Bill 21. This legislation, approved as one of the Board's legislative initiatives this past fall, was introduced by the Legislative Educational Planning Committee on January 8.

As you may know, this legislation would resolve a conflict created by two separate legislative acts intended to provide state universities flexibility, under the supervision of the Board of Regents, in managing their staff. Senate Bill 21 fixes an unintended catch-22 situation that arose from these two legislative enactments.

The first legislative act (K.S.A. 76-715a), which passed in 2005, authorizes state universities to seek approval from the Board to convert their classified staff to "university support staff." In essence, this legislation releases a university from some of the restrictions set by the State for classified employees but only as to issues of compensation. This provides the state universities flexibility to set such things as job groups, referred to as "bands," pay levels, merit reviews, and appeal processes for their staff. It successfully provides state universities a method to become competitive in the local job market. By law, conversion requires input and a certain level of approval from the classified staff and mandates that non-compensation issues, such as retirement or annual leave, continue to be dictated by statutory and regulatory requirements. Thus far, the University of Kansas' Lawrence campus has been the only institution to convert its classified staff to university support staff.

The second legislative act, which passed last year (2006 Sess. L. Ch.168 § 6), gives the state universities the ability to increase annual leave for their classified staff pursuant to Board policy. This legislation provides that a university may be released from offering what is currently mandated by the State to all state classified employees and increase that leave up to the level of leave offered to a university's unclassified staff. This legislation is intended to allow, with Board approval, a state university that has not converted its classified staff to university support staff to pursue some non-monetary benefits to help attract and retain classified employees. The following chart shows the current difference in leave for unclassified employees and classified employees:

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	Unclassified Employees at State Universities	State Classified Employees	University Support Staff
Amount of Annual Leave	Employees with less than 12-month faculty appointments do not earn annual leave. Employees with 12-month faculty appointments or unclassified appointments earn 176 hours per year. The amount is set by the Board of Regents.	Amount varies depending on hours worked and years of service to the State. The amount ranges from 144 to 240 hours per year. Amounts are set by the Department of Administration in rules and regulations for all State classified employees.	This must be identical to leave offered to all State classified employees pursuant to K.S.A. 76-715a.

The catch-22 that arose is this. A university that has converted to university support staff is limited to implementing changes regarding compensation only. Thus, KU, if they so desired, could not take advantage of the statutory authorization to increase annual leave. At the same time, any state university that did increase annual leave for its classified staff would be required by law to reduce the leave for staff back to original levels if it were to convert to university support staff.

Senate Bill 21 would achieve the intent of the Legislature to provide state universities flexibility in determining both compensation and annual leave levels, under the supervision of the Board, and not require a university and its staff to choose between one or the other. Senate Bill 21 is essentially a technical clean-up measure.

Mr. Chairman, thank you for the opportunity to comment. I would be happy to answer any questions that you or committee members may have.

SENATE BILL No. 21

By Legislative Educational Planning Committee

1-5

9 AN ACT concerning certain employees at state educational institutions;
10 amending K.S.A. 2006 Supp. 76-715a and repealing the existing sec-
11 tion; also repealing K.S.A. 2006 Supp. 76-715b.

12
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2006 Supp. 76-715a is hereby amended to read as
15 follows: 76-715a. (a) *As used in this section:*

16 (1) "State board" means the state board of regents.

17 ~~(2) "State educational institution" has the meaning ascribed thereto~~
18 ~~in K.S.A. 76-711, and amendments thereto.~~

19 ~~(a) (b) (1) The state board of regents, in accordance with the provi-~~
20 ~~sions of this section, may authorize any [state educational] institution of~~
21 ~~higher education to convert any or all classified staff employee positions~~
22 ~~or any portion thereof in at the institution to the unclassified service of~~
23 ~~state employment. Except as provided by this section, those classified staff~~
24 ~~employees whose positions are converted from classified to unclassified~~
25 ~~status shall retain all health and flexible benefits and leave and retirement~~
26 ~~benefits provided to them under the state classified employee system.~~

27 ~~Each~~

28 ~~(2) Prior to seeking authorization to convert positions from classified~~
29 ~~to unclassified status, the [state educational] institution designated by the~~
30 ~~board shall develop a plan for a system for administration of all other~~
31 ~~aspects of employment for these employees the employees in such posi-~~
32 ~~tions, including personnel policies and procedures, and each such system~~
33 ~~of administration. Each such plan shall be subject to approval by the state~~
34 ~~board of regents. Such. The personnel policies and procedures of such~~
35 ~~plans shall include a disciplinary and grievance process which provides~~
36 ~~for the right to appeal and due process procedures. Development of such~~
37 ~~plan shall be subject to input from affected classified employees. Imple-~~
38 ~~mentation of this section shall not cause a salary reduction or layoff of~~
39 ~~any classified employee. This section shall not be implemented by The~~
40 ~~state board of regents at shall not authorize any [state educational] insti-~~
41 ~~tution of higher education to convert classified positions to unclassified~~
42 ~~positions under this section unless an election has been held for classified~~
43 ~~staff employees affected by such proposal at such [state educational] insti-~~

(2) "Institution" means a state educational institution as defined by KSA 76-711, and amendments thereto, and the university of Kansas medical center.

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1 tution and the classified staff employees voting at the election by majority
 2 vote of all affected classified staff employees approve the conversion of
 3 the classified staff employee positions affected by such proposal at that
 4 institution to unclassified positions. Any such election held after the ef-
 5 fective date of this act shall be preceded by an official announcement
 6 providing at least 90 days notice of the date, time and place of the election.
 7 After a vote of approval, the ~~state educational~~ institution shall provide all
 8 affected employees with opportunities for input into the development of
 9 the plan that is to be presented to the state board of regents.

10 (c) The state board may authorize any ~~state educational~~ institution to
 11 enhance annual leave benefits for employees in the classified service or
 12 who are designated as university support staff. Any plan for the enhance-
 13 ment of annual leave benefits shall be subject to approval by the state
 14 board.

15 (d) For the limited purposes of this section, and K.S.A. 74-4925,
 16 and amendments thereto, these newly designated unclassified employees
 17 shall be referred to as "university support staff" and the university of
 18 Kansas medical center shall be considered ~~a state institution of higher~~
 19 ~~education~~ separate from the university of Kansas, Lawrence, and its
 20 campuses.

an institution

21 (e) Nothing in this act shall affect the representation rights of
 22 collective bargaining organizations that represent employees of ~~a state~~
 23 ~~institution of higher education~~, nor shall the provisions of this act affect
 24 any term or condition of any collective bargaining agreement in effect on
 25 the effective date of this act.

an institution

26 (f) The state board may adopt any policies and rules and regulations
 27 necessary to implement the provisions of this section.

28 Sec. 2. K.S.A. 2006 Supp. 76-715a and 76-715b are hereby repealed.
 29 Sec. 3. This act shall take effect and be in force from and after its
 30 publication in the statute book.