

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 8:00 a.m. on March 30, 2010, in Room 548-S of the Capitol.

All members were present except:

Senator Pat Apple - excused
Senator Janis Lee - excused
Senator John Vratil - excused

Committee staff present:

Alan Conroy, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Dylan Dear, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Gordon Self, Office of the Revisor of Statutes
Melinda Gaul, Chief of Staff
Shirley Jepson, Committee Assistant
James Fisher, Intern

Conferees appearing before the Committee:

Representative Ann Mah
Glenn Deck, Executive Director, Kansas Public Employees Retirement System (KPERS)
John Evans, Chief, Fire and Emergency Service, 190th Air Refueling Wing
Dennis Phillips, Lobbyist, Kansas State Council of Fire Fighters

Others attending:

See attached list.

Approval of Minutes

Senator Teichman moved to approve the minutes of March 23 and March 24, as written. The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Hearing on HB 2107 - Affiliation with the Kansas police and firemen's retirement system by adjutant general for membership of certain firefighters serving the 190th Kansas air national guard.

Gordon Self, Revisor, explained that **HB 2107** would permit affiliation by the Adjutant General with the Kansas Police and Firemen's (KP&F) Retirement System in order to provide membership to certain qualified firefighters and to offer enhanced benefits for future service. The legislation would allow current members of the 190th Air National Guard firefighters to elect to transfer from the Kansas Public Employees Retirement System (KPERS) to the KP&F retirement system for future service only. All qualified firefighters hired on and after the affiliation date automatically would become members of KP&F. Mr. Self noted that there would be no state funds involved, as all funds would be federal funds. Benefits under the plan would provide for earlier normal retirement and increased disability benefits than under the KPERS plan. Responding to a question from the Committee, Mr. Self stated that current participating employees under KPERS who transfer to the KP&F plan, would have a 2-tiered retirement benefit - one under KPERS and one under KP&F.

Representative Ann Mah presented testimony in support of **HB 2107 (Attachment 1)**. Representative Mah stated that the enhanced retirement plan would put the 190th Kansas Air National Guard firefighters in a plan that reflects the physical nature of their work and assist in recruiting qualified employees.

John Evans, Chief, Fire and Emergency Service, 190th Air Refueling Wing, presented testimony in support of **HB 2107 (Attachment 2)**. Mr. Evans noted that the fire department is 100 percent federally funded.

Dennis Phillips, Lobbyist, Kansas State Council of Fire Fighters, presented testimony in support of **HB 2107 (Attachment 3)**.

CONTINUATION SHEET

Minutes of the Senate Ways and Means Committee at 10:30 a.m. on March 30, 2010, in Room 548-S of the Capitol.

Responding to a question from the Committee regarding the effective date of the legislation, Glenn Deck, Executive Director, KPERS, stated that KPERS could work with the 190th Kansas Air National Guard firefighters who choose to move to the KP&F plan, to implement the provisions of the legislation on July 1, 2010, without any amendments to the bill.

There were no other proponents, opponents or neutrals to appear before the Committee.

The hearing on HB 2107 was closed.

Senator Schmidt moved to recommend **HB 2107** favorable for passage. The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Adjournment

The next meeting is scheduled for April 19, 2010.

The meeting was adjourned at 8:25 a.m.

SENATE WAYS AND MEANS COMMITTEE

GUEST LIST

DATE: March 30, 2010

| NAME | REPRESENTING |
|------------------|---|
| Mark Boranysk | Capitol Strategies |
| Richard Watson | 190 th Fire & Emer. Services |
| Taylor Weissbeck | 190 th Fire & Emergency Services |
| Dennis Burdick | 190 th Fire & Emergency Services |
| Patrick Moore | 190 th Fire & Emergency Services |
| Daniel Evans | Visitor |
| David Evans | Visitor. |
| John Evans | 190 th ARW Fire & Emergency Services |
| Dennis Phillips | KSCFF |
| Ed Redman | KSCFF |
| Gren Deck | KPER S |
| Wegh Keck | Hein Law Firm |
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DEPARTMENT OF THE AIR FORCE
190TH AIR REFUELING WING
5920 SE COYOTE DRIVE
TOPEKA, KANSAS 66619-5370

29 March 2010

MEMORANDUM FOR: Kansas Senate

FROM: Senior Master Sergeant John Evans

SUBJECT: Inclusion of 190th Air Refueling Wing Fire Fighters into the Kansas Police and Fire retirement system.

My testimony today is regarding the importance of bringing our Fire Fighters under KP&F protection.

Our Fire Department is a 100% federally funded department staffed by unclassified employees of the Adjutant Generals Department. They are currently under KPERS, and have been since the inception of the department in 1983. Following are the reasons it is vital to allow conversion to KP&F for these 16 employees.

1. Fire fighting is truly a young person's occupation. By the age of about 50 for most people, it becomes much more difficult for Fire Fighters to continue to meet the stringent medical requirements of the National Fire Protection Association standards.
2. KP&F provides a disability retirement for an employee who can no longer meet the medical requirements. Historically, under KPERS a person must be 100% disabled to qualify for a disability retirement.
3. KP&F provides the opportunity for Fire Fighters to retire at age 50 with 25 years of service. KPERS require 85 points (age + years of service).
4. KP&F provides an increased percentage factor (2.5 vs. 1.75) over KPERS to enhance the retirement of those willing to do what most think is unsettling or crazy!
5. KP&F benefits are a significant recruitment tool over KPERS when filling vacancies on our department. The certification requirements are high and the people that hold those certifications can be very selective as to where they go to work. Our wage scale is relatively low, \$36,300 to start for a person assigned responsibility for protecting hundreds of millions of dollars of State and Federal assets and hundreds of people on a daily basis. The enhancement of the retirement plan will help us compete with other emergency services organizations for quality candidates.

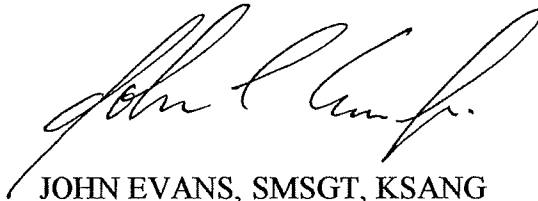
*190th Air Refueling Wing's Vision:
A World-Class Organization recognized as "The Standard of Ex
by those we serve.*

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Attachment 2

6. Our Fire Department budget is between \$900,000 and \$1,000,000; additional cost of this conversion is approximately \$30,000 per year. Every penny of it is federal funds and there is no state funds of any type involved. Historically the National Guard Bureau has been supportive of Fire Fighter retirement enhancements, and based on verbal and electronic correspondence with the program manager at that level, I believe the additional funds are available and will be provided for this conversion.

As the Fire Fighters of the 190th Air Refueling Wing of the Kansas Air National Guard go about protecting Kansas assets and the lives of the citizens of Kansas at Forbes Field, it is my belief that we must provide them every protection. Conversion from KPERS to KP&F for these 16 employees will provide some of that protection for their families. It will make it easier for us to recruit and hire the caliber of people we need protecting us, and all of this can be done at no cost to the State of Kansas. I urge you to support this conversion.

Thank you,



JOHN EVANS, SMSGT, KSANG
Chief, Fire and Emergency Service



KANSAS STATE COUNCIL OF FIRE FIGHTERS



Affiliated With

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS • KANSAS AFL-CIO • CENTRAL LABOR BODIES

March 30, 2010

Testimony of Dennis Phillips

I, appear here today on behalf of the Kansas State Council of Fire Fighters in support of HB 2107 that would allow the firefighters serving the 190th Kansas Air National Guard to affiliate with the KP&F pension system.

The KP&F pension system was designed so firefighters and police officers could retire at an age that is beneficial to both the employee and their employer. The physical demands and the stress on firefighters and police officers needs to be taken into consideration when determining what pension system that they are allowed to be under.

The Kansas State Council of Fire Fighters feels that all fire fighters and police officers within the State of Kansas should be under the KP&F pension system. Therefore I, would ask you to support HB 2107 to allow the firefighters serving the 190th Kansas Air National Guard to affiliate with the KP&F pension system.

Again thank you for your time and consideration on this issue.

A handwritten signature in cursive script that reads "Dennis Phillips".

Dennis Phillips
Lobbyist, Kansas State Council
of Fire Fighters

Senate Ways & Means Cmte

Date 3-30-2010

Attachment 3