

HOUSE Substitute for SENATE BILL No. 146

By Select Committee on KPERS

3-16

9 AN ACT concerning state officers and employees; relating to furloughs
10 or reduction in compensation; the Kansas public employees retirement
11 system, computation of benefits; amending K.S.A. 74-49,115 and re-
12 pealing the existing section.
13

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

15 Section 1. K.S.A. 74-49,115 is hereby amended to read as follows:
16 74-49,115. (a) *On and after January 1, 2010*, when the compensation for
17 any officer or employee of the state, who retires, *on or after the normal*
18 *retirement date of such officer or employee with 20 or more years of*
19 *credited service, or who becomes disabled or dies during the period com-*
20 ~~*mencing on the effective date of this act and ending June 30, 2007, during*~~
21 *the period commencing on the effective date of this act and ending June*
22 *30, 2013*, is reduced pursuant to law, when such officer or employee
23 voluntarily agrees to reduce such officer or employee's compensation, or
24 when any officer or employee of the state is placed on a furlough without
25 pay, the amount of compensation that would have been paid if the rate
26 of compensation had not been reduced or if the officer or employee had
27 not been placed on the furlough shall continue to be included as com-
28 pensation for all purposes of computing retirement and pension benefits
29 and death and disability benefits as provided in article 26 of chapter 20
30 and article 49 of chapter 74 of the Kansas Statutes Annotated earned by
31 such officer or employee as provided by the Kansas public employees
32 retirement system, the Kansas police and firemen's retirement system
33 and the retirement system for judges. Subject to the approval of the sec-
34 retary of administration, the director of accounts and reports shall pre-
35 scribe procedures for the payment and remittance of employer and em-
36 ployee contributions *and the payment of interest at the actuarial*
37 *investment assumption prescribed by the board* by the state agency em-
38 ploying such employees. The board shall administer the provisions of this
39 section, with the cooperation of the director of personnel services, *in-*
40 *cluding, but not limited to, the compilation of records of furlough plans*
41 *in effect by state agencies and officers or employees who have been placed*
42 *on furlough.*

43 (b) The provisions of subsection (a) shall not be applicable to com-

1 pensionation reductions attributable to: (1) Voluntary demotions of employ-
2 ees in the classified service; (2) deferred compensation pursuant to the
3 plan authorized by K.S.A. 75-5523 and amendments thereto; or (3) to
4 compensation reductions attributable to the cafeteria plan authorized by
5 K.S.A. 75-6512 and amendments thereto.

6 (c) For the purposes of this section, “officer” and “employee” means
7 any officer or employee of the state, any member *or employee* of the
8 legislature or any employee of an institution under the supervision of the
9 board of regents *who are members of the Kansas public employees re-*
10 *retirement system, the Kansas police and firemen’s retirement system or the*
11 *retirement system for judges.*

12 New Sec. 2. In order to achieve maximum flexibility in facilitating
13 agencies to provide continuing services without unnecessarily closing of-
14 fices or programs during furloughs, all agencies shall develop plans for
15 furloughs that shall provide for furloughs on a basis that provides the
16 most efficiency in the operation of offices and programs of such agency
17 in a manner that strives to maintain programs and keep offices open
18 during regular hours of operation.

19 Sec. 3. K.S.A. 74-49,115 is hereby repealed.

20 Sec. 4. This act shall take effect and be in force from and after its
21 publication in the Kansas register.