

PROPOSED AMENDMENT TO HB 2393
FOR CONSIDERATION BY COMMITTEE ON APPROPRIATIONS
MARCH 28, 2011

MR. CHAIRMAN:

I move to amend **HB 2393**, on page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 29 and inserting the following:

"Section 1. On June 12, 2011, K.S.A. 2010 Supp. 75-5541 is hereby amended to read as follows: 75-5541. (a) Except as otherwise provided by this section, each classified employee, excluding any such employee who is on temporary appointment, and each nonjudicial employee in the unclassified service under the Kansas civil service act in a state agency in the judicial branch of state government, shall receive a bonus as provided by this section, which shall be referred to as a longevity bonus, under the terms and conditions and subject to the limitations prescribed by this section.

(b) After June 30, 1989, any such officer or employee who has been employed by any agency, board or department within any branch of state government, whether or not the entire period of service is continuous with the same agency, board or department, shall be eligible to receive a longevity bonus upon completion of 120 months of state service. Length of service and service anniversary dates shall be determined pursuant to rules and regulations adopted by the secretary of administration.

(c) The amount of each longevity bonus payment shall be computed by multiplying ~~\$40~~ \$50 by the number of full years of state service, not to exceed 25 years, rendered by such officer or employee as of the service anniversary date within such fiscal year.

(d) Each longevity bonus payment shall be included in the employee's regular pay warrant. The amount of the bonus shall be displayed separately on the warrant stub or advice.

(e) Longevity bonus payments shall be compensation, within the meaning of K.S.A. 74-4901 et seq., and amendments thereto, for all purposes under the Kansas public employees retirement system and shall be subject to applicable deductions for employee contributions notwithstanding the fact that

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payments are made annually. Longevity bonus payments shall be in addition to the regular earnings to which an officer or employee may become entitled or for which such employee may become eligible.

(f) The purpose of longevity pay is to recognize permanent employees who have provided experience and faithful long-term service to the state of Kansas in order to encourage officers and employees to remain in the service of the state. The provisions of this section shall apply to fiscal years commencing after June 30, 1989. The amendatory language of this section shall be construed to confirm that longevity pay is intended, and has been intended since its enactment, to be a bonus as defined in 29 C.F.R. § 778.208.

(g) In accordance with the provisions of K.S.A. 75-3706, and amendments thereto, the secretary of administration shall adopt rules and regulations to implement the provisions of this section with respect to officers and employees in the executive branch of state government. The supreme court may adopt policies to implement the provisions of this section with respect to officers and employees who are nonjudicial personnel of state agencies in the judicial branch of state government.

(h) The provisions of this section shall not apply to any state officer or employee who is employed or re-employed as a state officer or employee on or after June 15, 2008.";

Also on page 2, in line 30, by striking "and 75-5551 are" and inserting "is"; in line 31, after "after" by inserting "June 12, 2011, and"; in line 32, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking "abolishing"; in line 2, after "bonus" by inserting "payments"; also in line 2 by striking "75-5551" and inserting "75-5541"; in line 3, by striking "; also repealing K.S.A. 2010 Supp. 75-5541"

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