



# Update

Dear Friends,

February 22, 2023

*Since my election to the KPERS Board of Trustees I have a new disclaimer that I must include in these updates from now on: "The views expressed in this update represent my views and/or the views of the Coalition. They do not in any way represent the views of KPERS Board of Trustees nor do I speak for them." (Ernie Claudel)*

**Friends,**

**As indicated this morning, HB2252 5,4,3,2,1% COLA Bill and HB2365 moving Tier III folks to Tier II were not HEARD or WORKED. The chair of the Financial Institution and Pensions Committee and/or the Speaker of the House failed to allow these to be heard and worked.**

**As indicated in a local meeting this morning, I have not determined a strategy for next Wednesday. You will be hearing from me once again soon!**

What you see below is indeed some positive movement. This is, of course, not what we are striving for!

**Decided to expand a bit on this with some updated *Information*.**

1. There is always a fear that some enhancement, like increasing the death benefit listed below, will be seen as a benefit increase, and the new excuse will be, "We gave you a benefit increase (COLA) last year." There is definitely a 'you must wait your turn' mentality when the legislature authorizes budget expenditures. We do not want to be put at the 'end of the line' over something only that is a "sort of a benefit"!
2. Here is the procedure that a bill must go through to become law:
  - A. Bill is introduced in or assigned to the appropriate committee.
  - B. Chairman decides if the bill will be heard. If so, testimony is heard. (Proponent, opponent & neutral.)
  - C. Chairman decides whether to work the bill. This means the committee decides whether to send the bill to the floor of the House or Senate.
  - D. Once the bill is approved and 'sent to the floor', leadership decides whether it will be heard on the floor. (This is typically referred to as being 'above the line'.)
  - E. If it passes the house of origin, then it goes to the other house.
  - F. In most cases it then goes through the same process in the other house.
  - G. If the two versions don't agree, a conference committee works out a compromise.
  - H. The report of the conference must be passed by both houses.
  - I. Then it's on to the Governor for approval or veto, etc.
3. This is of course a laborious, time-consuming process. Bills that have been passed by the house of origin are being considered on the Floor for the rest of the week. To stop the introduction of new bills, dates are established so the Committees can catch up. Monday and Tuesday are the two-day breaks referred to as 'turn around.' After the break, the bills from the other house will be considered.
4. Rundown on Present 2023 Bills of Interest:
  - A. The following legend is as follows:
    - a. Highlighted in light gray are the bills that did not make it out of committee, were not heard and/or certainly not 'WORKED'. Yellow-highlighted bills were passed on to their house of origin.

- b. HB2025 – Self Funded COLA for those not yet retired. Better name would be a “benefit rationing” bill rather than a COLA. I testified against this one. Sadly, a lot of the ‘still working’ contacted their legislator to favor this bill, not knowing what it was about. They just saw “COLA” and jumped on it. As mentioned in OPS this morning (ignorance is not good) as people are shooting from the hip when they see the word COLA, and there was a lot of support for this bill by those who didn’t understand that this was a terrible bill.
- c. HB2252 & SB198 proposes a 5,4,3,2,1% COLA -- Bills are similar if not identical. This approach was chosen because of potential cost and the fact that it provides for benefit levels, and more for those retired for a long time. Not heard.
- d. HB2365 -- Moving Tier III back to Tier II -- This has an initiation cost and an annual cost but is the right to enact. Tier III is not good! Not heard.
- e. SB230 -- Enacting the Kansas Thrift Plan. This would replace Tier III. We oppose for many reasons. This is a reissue of last year’s SB553. You can research it, and the testimony against it from last year, if you like. This may be in a ‘blessed committee’ and could come up again. Scary bill. More on this later.
- f. SB172 -- Increasing KPERS Death Benefit from \$4K TO \$6K. We have concern about this proposal because it does nothing to enhance the income of the living. It has an initial cost for the retired and living plus a considerable annual cost. My reluctance to testify in favor of this is explained above.
- g. HB2196 -- Expanding Drop Program to all KP&F. Presently offered to KBI & KS Highway Patrol. Our friends, especially the Fire Fighters, want this expansion. Passed out of committee.
- h. **WAR BILLS (WORKING AFTER RETIREMENT BILLS)**  
 HB2272 Exempting WAR (Working After Retirement) Exemption/CDDOs [Community Development Disability Organizations] Passed out of Committee.  
 HB2195 WAR (Working After Retirement) Bill Threshold to \$35K and suspending employer contribution until December 31, 2024. Increased by amendment to \$50K.
- i. **KPERS BOARD PROPOSED BILL**  
 SB23 -- Increase 15% Cap on Private Investment. This was a request by the KPERS Board. The board deems this essential to be able to maintain maximum investment potential.  
 HB2193 -- Unclaimed property funds to KPERS  
**BACK STORY:**  
 HB2008 -- Adding Corrections Officers to KP&F  
 HB2085 -- Adding Juvenile Corrections Officers to KP&F
- j. **HB2198 -- Moving ‘Sworn’ Fish and Game to KP&F Passed out of committee.**  
 There are many corrections that need to be corrected regarding KPERS in general. All these above three groups are ‘sworn’ officers, i.e., have jobs that require them to be armed. The above proposes to move these officers to KP&F. Additionally, there are about a third of the police officers in Kansas are not in KP&F because ‘back in the day’ there was a local option and regular KPERS was cheaper for the employer than KP&F. Likely won’t testify on behalf of these, but certainly are in support of the need.

Ernie Claudel  
 KCPR & KARSP Lobbyist  
[eclaudel1@comcast.net](mailto:eclaudel1@comcast.net)  
 913-481-6923