AN ACT concerning the state civil service board; transferred from the
department of administration to the office of administrative hearings;
amending K.S.A. 75-2929b, 75-2929g and 75-3746 and K.S.A. 2014
Supp. 75-2929d and repealing the existing sections.

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

Section 1. K.S.A. 75-2929b is hereby amended to read as follows: 75-
2929b. (a) The board shall be attached to the department of administration
office of administrative hearings and shall be within the department office
of administrative hearings as a part thereof. All budgeting, purchasing and
related management functions of the board shall be administered under the
direction and supervision of the secretary of administration director of
administrative hearings. All vouchers for expenditures and all payrolls of
the board shall be approved by the chairperson of the board or a person or
persons designated by such chairperson and the secretary of administration
director of administrative hearings or a person or persons designated by
such secretary director.

(b) The board shall organize annually by electing one of its members
as chairperson and one as vice-chairperson. The board shall meet regularly
at least once each calendar quarter and special meetings may be called by
the chairperson or by a majority of the board. A quorum of the board shall
consist of three members. No action may be taken by the board without the
affirmative vote of at least three members. In the holding of hearings of
appeals by employees or appointing authorities pursuant to the Kansas
civil service act, the board may delegate to one or more of its members the
authority to serve as a hearing examiner for such a hearing, but action
upon any such appeal shall require the concurrence of at least three
members of the board.

(c) Meetings of the board shall be open to the public and no meeting
or hearing of the board shall be held unless at least three members of the
board are present. The director of personnel services administrative
hearings shall act as secretary of the board or may designate a person to
serve as the secretary of the board. The board shall keep records and
minutes of its business and official actions, and such records and minutes
shall be public records open to public inspection, subject to rules and
regulations specifying the hours and conditions of inspection. The director
of administrative hearings shall be the legal custodian of such records and
shall have the duty to store and maintain such records in order to carry
out the official business of the board and respond to inquiries regarding
the business and official actions of the board.

(d) Each member of the state civil service board attending meetings
of such board, attending a subcommittee meeting thereof authorized by
such board, or serving as hearing examiner at a hearing under the Kansas
civil service act shall be paid per diem compensation of $70 and shall be
paid subsistence allowances, mileage and other expenses as provided in
K.S.A. 75-3223, and amendments thereto. In addition, each member, who
resides more than 100 miles from the location of an authorized meeting or
hearing, shall receive per diem compensation of $35 for each day in travel
to or from such meeting or hearing if such travel is on a day other than the
day or days of such meeting or hearing.

Sec. 2. K.S.A. 2014 Supp. 75-2929d is hereby amended to read as
follows: 75-2929d. (a) The state civil service board shall hear appeals
taken to it pursuant to: (1) K.S.A. 75-2940, 75-2949 and 75-3747, and
amendments thereto, concerning demotion, dismissal or suspension of a
permanent employee in the classified service, or concerning refusal to
examine an applicant or to certify a person as eligible for a job class; and
(2) K.S.A. 75-2973, and amendments thereto, concerning disciplinary
action in violation of that statute.

(b) When an appeal is taken to the board, the board shall establish a
time and a place for the hearing which shall be held within 45 days after
receipt of request for the appeal. The board shall notify the person bringing
the appeal and the appointing authority or other person whose action is
being reviewed of the time and the place of the hearing at least 14 days
prior to such hearing. Each party at the hearing shall have the right to be
represented by a person of the party's own choice. Hearings shall be
conducted in accordance with the provisions of the Kansas administrative
procedure act. For purposes of the administrative procedure act, the state
civil service board shall be deemed the agency head. The board may
affirm, modify or reverse an agency action and order any other action it
deems appropriate.

(c) The board, or the director of personnel services administrative
hearings when authorized by majority vote of the board, may depose
witnesses. Either party to a hearing may depose witnesses in accordance
with the Kansas administrative procedure act. If books and papers are
required to be produced in advance of a hearing date, the person or agency
producing the books and papers shall be entitled to receive reasonable
compensation to recover all costs of such production from the person or
agency for which they are produced. The board, any presiding officer or
the director of administrative hearings may examine such public records
as may be required in relation to any matter which the board has authority
to investigate.
(d) Each person not in the classified or unclassified service who
appears before the board or the director of administrative hearings by
order shall receive for such person's attendance the fees and mileage
provided for witnesses in civil actions in the district court. Such fees and
mileage shall be audited and paid by the state upon presentation of proper
vouchers. Each witness subpoenaed at the request of parties other than the
board or the director of administrative hearings shall be entitled to
compensation from the state for attendance or travel only if the board
certifies that the testimony of such witness was relevant and material to the
matter investigated or, if such witness is not called to testify, the board
determines and certifies that such compensation should be paid.

Sec. 3. K.S.A. 75-2929g is hereby amended to read as follows: 75-
2929g. The secretary of administration, upon recommendation of the
director of personnel services administrative hearings and the board, may
adopt rules and regulations as provided in K.S.A. 75-3706, and
amendments thereto, to carry out the provisions of K.S.A. 75-2929d to 75-
2929g, inclusive, and 75-2949d to 75-2949f, inclusive, and amendments
thereto.

Sec. 4. K.S.A. 75-3746 is hereby amended to read as follows: 75-
3746. The director of personnel services shall:
(a) Require the development of effective personnel administration
within all agencies in the state and make available the facilities of the
division of personnel services to this end.
(b) Keep in the office of the division of personnel services an official
roster of the state civil service showing the employment history of each
and every person who has been appointed to, employed, promoted,
reduced or reinstated in any position in such service. The director of
personnel services shall have access to all public records and papers, the
examination of which will aid in the discharge of the director's duty in
connection with this roster.
(c) Prepare, in accordance with the provisions of the Kansas civil
service act and rules and regulations adopted thereunder as provided in
K.S.A. 75-3706, and amendments thereto, examinations, eligible lists and
ratings of candidates for appointment.
(d) Make certification for appointment within the classified service,
in accordance with the provisions of the Kansas civil service act.
(e) Make investigations concerning all matters touching the
enforcement and effect of the provisions of the Kansas civil service act and
rules and regulations adopted thereunder as provided in K.S.A. 75-3706,
and amendments thereto.
(f) Make an annual report to the secretary of administration, the
legislature and the governor regarding the activities of the division.

(g) Attend or designate a representative to attend all meetings of the state civil service board.

(h) Prepare and recommend to the secretary of administration rules and regulations suitable for adoption as provided in K.S.A. 75-3706, and amendments thereto, for the purpose of carrying out the provisions of the Kansas civil service act. Such rules and regulations shall provide, among other things, for current records of efficiency for methods of regular distribution of communication materials; the manner of completing appointments and promotions; the rejection of eligible candidates; competitive examinations; creation of eligible lists with successful candidates ranked according to their rating in the examinations; leave of absence with and without pay; transfers, reinstatements, layoffs, vacations and public notice of examinations; procedure for changes in rates of pay; hours of work and other conditions of employment; the establishment of programs, including trainee programs, designed to attract and utilize persons with limited qualifications, but with potential for development, in order to provide career development opportunities; establishment of a plan for resolving employee grievances and complaints; development and operation of programs to improve work effectiveness, including orientation, on-the-job training, supervisory training, managerial development, safety, fringe benefit counseling and employee relations; and the establishment of policies regarding manpower allocation and control.

(i) Conduct regular planned assistance visits from the division of personnel services to review personnel practices of agencies and identify agency needs.

(j) Administer the Kansas civil service act.

Sec. 5. K.S.A. 75-2929b, 75-2929g and 75-3746 and K.S.A. 2014 Supp. 75-2929d are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after July 1, 2016, its publication in the statute book.