

# PLAN OF COVERAGE

## PLAN OF

DOUGLAS COUNTY, KANSAS

(Name of Political Subdivision)

for extending the benefits of Title II of the Federal Social Security Act to the employees of said subdivision.

XXX

DOUGLAS COUNTY, KANSAS

(Name of Subdivision)

referred to as the Political Subdivision submits the following plan to the Kansas Department of Civil Service, as the authorized State Agency, for approval as authorized by House Bill No. 500 of the 1951 Kansas Legislature.

- (A) The Political Subdivision agrees that the provisions of House Bill No. 500 of the 1951 Kansas Legislature, hereinafter referred to as the State Act shall be and are agreed to as a part of this plan.

- (B) Services Covered.

This plan includes coverage of all services performed by employees of the Political Subdivision except as specifically excluded by law and (including) ~~(XXXXXX)~~ elected officials of the subdivision, if any.

- (C) Contribution by the Political Subdivision.

- (1) The Political Subdivision hereby agrees to pay to the Department of Civil Service, at such time or times, and in such manner, as the department may by regulation prescribe amounts equivalent to the sum of the taxes which would be imposed by Section 1400 and 1410 of the Internal Revenue Code if the services of the employees covered by this agreement constituted employment as defined in Section 1426 of such code.

- (2) The Political Subdivision further agrees to deduct from any remuneration paid to an employee subject to the provisions of this plan an amount equivalent to the sum of the taxes which would be imposed by Section 1400 of the Internal Revenue Code if the services of said employee constituted employment as defined in Section 1426 of such code.

- (3) Sources of Political Subdivision's Contributions.

The Political Subdivision will pay its contributions from the same fund or funds that the wages from which the contribution in (2) above is made are paid or from any other funds available to it for the purpose and/or that it will annually or when necessary levy at the time of its levy for other purposes, a tax which may be in addition to all other taxes authorized or limited by law, for the purpose of making its contributions under subsection (c) of Section 5 of the State Act, which tax together with any other funds available to the Political Subdivision for such purpose shall be sufficient to enable it to make its contributions; *Provided*, That in the year 1951 the Political Subdivision may, if current funds are not available, issue no-fund warrants for the purpose of providing funds to make such contributions for wages earned during the calendar year 1951, and provide for the redemption of such warrants as provided by subsection (e) of Section 5 of the State Act; *Provided further*, That funds for the political subdivision's contributions will be properly and adequately budgeted for the year 1952, if this plan takes effect in time for such budgeting at budgeting time in 1951, and in subsequent years and contributions will be made in 1951 and 1952 whether such expenditures are budgeted or not, as authorized by subsection (e) of Section 5 of the State Act. The political subdivision verily believes that with the current funds that may be available and the unlimited tax levy authorized by subsection (e) of Section 5 of the State Act, there is reasonable assurance that sources will be adequate for the purposes of paragraph (1) of subsection (c) and subsection (d) of Section 5 of the State Act.

- (D) Compliance with regulations.

The Political Subdivision further agrees that it will comply with such rules and regulations as the Department of Civil Service may prescribe to carry out the purposes of Section 218 of the Social Security Act as amended.

- (E) Modification.

This plan may be modified at the request of the Political Subdivision to include additional groups, or additional services not now included, such modification to be consistent with the provisions of Section 218 of the Social Security Act, as amended and the State Act.

- (F) Termination by the Political Subdivision.

The Political Subdivision, upon giving at least two years' advance notice in writing to the Department of Civil Service, may terminate this plan, either in its entirety or with respect to any coverage group, effective at the end of a calendar quarter specified in the notice, provided, however, that the plan may be terminated in its entirety only if it has been in effect not less than five years prior to receipt of such notice, and provided further that it may be terminated with respect to any coverage group only if it has been in effect with respect to such coverage group for not less than five years prior to receipt of such notice.

- (G) Termination by the Department of Civil Service for cause.

If the Department of Civil Service, after reasonable notice and opportunity for hearing to the Political Subdivision, finds that the Political Subdivision has failed or is no longer legally able to comply substantially with any provision of this plan or of Section 218 of the Social Security Act, as amended, the Department of Civil Service shall notify the Political Subdivision by giving notice in writing that this plan will be terminated in its entirety, or with respect to any one or more coverage groups, at such time, not later than two years from the date of such notice, as the Department of Civil Service deems appropriate, unless prior to such time it is found there no longer is any failure or that the cause of such legal inability has been removed.

- (H) Failure to make payments when due.

In case the Political Subdivision fails to make, at the time or times due, the payments provided for under this plan, there shall be added, as part of the amounts due, interest at the rate of six (6) per centum per annum from the date due until paid, and the Department of Civil Service may deduct such amount as is delinquent, plus accrued interest, from any amounts due the Political Subdivision from the State of Kansas. Amounts so deducted shall be deemed to have been paid to the Political Subdivision.

- (I) Effective Date.

This plan shall be effective as of January 1, 1951.

- (J) This plan, and the attached information, agreed to by the governing body of the Political Subdivision this 19th

day of May 1951.

Signed:

Ray P. Osden

Chairman, Board of County Commissioners

Title: of Douglas County, Kansas.

Approved by the Kansas Department of Civil Service as authorized State Agency, this

July 1951.

day of

Charles S. Wanley

Director