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**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Gautreaux to Engrossed House Bill No. 63 by Representative Schneider

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1 AMENDMENT NO. 1

2 On page 1, line 3, after "relative to" and before "Deferred" insert the following:

3 "retirement; to provide for retirement eligibility and benefit calculation; to provide  
4 for payment of certain unfunded accrued liabilities; to provide relative to"

5 AMENDMENT NO. 2

6 On page 3, between lines 10 and 11, insert the following:

7 "Section 2. (A)(1) Any active contributing member of the Louisiana State Employees'  
8 Retirement System and any person who has creditable service in the system who has been  
9 furloughed, terminated, or placed on leave without pay due to the budget reductions required  
10 by the effects of hurricanes Katrina and Rita, who is ineligible to retire under the provisions  
11 of R.S. 11:441(A)(1)(a), (b), or (c), but who has earned a minimum of ten years of creditable  
12 service and who has attained the age of fifty years, and who elects to retire under the  
13 provisions of this Section on or after December 1, 2005, and on or before February 28, 2006,  
14 shall be eligible, notwithstanding the provisions of R.S. 11:441(A)(1)(a), (b), or (c), to retire  
15 from state service and receive a retirement allowance equal to two and one-quarter percent  
16 of his average compensation, as determined pursuant to R.S. 11:231, for every year of  
17 creditable service.

18 (2) Notwithstanding any other provision of law to the contrary, any person who has  
19 attained the age of fifty years to whom this Section would otherwise apply who retired  
20 pursuant to the provisions of Act 194 of the 2004 regular legislative session or pursuant to  
21 the provisions of R.S. 11:441(A)(1)(d) on or after November 1, 2005, shall, upon application  
22 to the system's board of trustees, have his retirement benefit recalculated under the  
23 provisions of this Section, so long as his application for recalculation is received by the  
24 system on or before February 28, 2006. The person shall receive the greater of the two  
25 benefit calculations and shall be subject to the provisions of the law pursuant to which he  
26 receives the greater benefit.

27 (3) The provisions of this Section shall not apply to any person who receives an  
28 additional retirement benefit under any other provision of law included but not limited to  
29 R.S. 11:557, 582, and 602 and R.S. 24:36.

30 (B) All unused accumulated sick and annual leave of a person retiring under the  
31 provisions of this Section shall be converted to retirement credit in accordance with the  
32 provisions of R.S. 11:424 and no payment shall be made therefor by any state agency other  
33 than the system; however, the individual may opt at the time of retirement to receive a lump  
34 sum benefit payment from the system for up to three hundred hours of annual leave so  
35 converted. Any lump-sum benefit payment made by the system under the provisions of this  
36 Section shall be calculated based on the person's rate of pay on the date he separates from  
37 service and shall not be calculated based on average compensation. Payment hereunder shall  
38 be made only after certification by the division of administration of the person's leave  
39 balance and of the fact that the person has not previously received payment for any leave.

40 (C)(1) The division of administration shall report to the Joint Legislative Committee  
41 on the Budget the number of positions vacated pursuant to the provisions of this Section and  
42 the fiscal savings created thereby on or before March 15, 2006. Positions within the  
43 executive branch of state government which are caused to be vacated by this Section,  
44 directly or indirectly, including by promotion to fill a vacated position, shall not be filled,  
45 except upon approval of the division of administration and in accordance with the rules and  
46 regulations of the Civil Service Commission. However, before any such approval by the  
47 division of administration of the employment of a person not already employed by the  
48 agency or not currently employed by the state, the agency shall, if necessary and feasible,  
49 and subject to the approval of the division of administration, refill the vacancy from within

1 the agency or in cooperation with the Civil Service Commission transfer employees from  
2 another agency to refill the vacancy.

3 (2) In no case, shall any department within the executive branch of state government  
4 refill more than twenty-five percent of the positions caused to be vacated by the provisions  
5 of this Section, as reported pursuant to the provisions of Paragraph (1) of this Subsection.  
6 The division of administration shall make quarterly reports to the Joint Legislative  
7 Committee on the Budget on the number of positions which have been filled by the hiring  
8 of new employees or by transfer from one agency to another agency and the salaries  
9 associated therewith.

10 (D) Any person who elects to retire under the provisions of this Section who is  
11 reemployed in a position which would otherwise make him eligible for system membership  
12 shall not become a member; his benefit shall be suspended upon reemployment and no  
13 supplemental benefit shall be earned while he is so employed. The system shall promulgate  
14 rules to provide for the implementation of the provisions of this Section, including agency  
15 reporting of any retirees reemployed

16 (E) The legislature shall annually appropriate out of the general fund or any budget  
17 surplus an amount equal to ten percent of the reduction in the general fund expenditures  
18 attributable to the provisions of this Section to make an additional payment to the Louisiana  
19 State Employees' Retirement System for purposes of reducing the unfunded accrued liability  
20 that existed on June 30, 1988. "

21 AMENDMENT NO. 3

22 On page 3, at the beginning of line 11, change "Section 2." to "Section 3."