

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL NO. 221

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after the semicolon insert “making certain technical changes;”; and strike in their entirety lines 20 through 24, inclusive.

On page 2, in line 7, strike “22-406(b)(2)(vi)5.” and substitute “22-406(b)(4)(vi)5.”; in the same line, strike “23-407(b)(2)(iv)5.” and substitute “23-407(b)(4)(iv)5.”; in line 13, strike “22-406(b)(2)(viii)” and substitute “22-406(b)(4)(viii)”; and in the same line, strike “23-407(b)(2)(vi)” and substitute “23-407(b)(4)(vi)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 26 on page 2 through line 22 on page 4, inclusive.

AMENDMENT NO. 3

On page 4, in line 24, strike “Subject to subsection (b) of this section, an” and substitute “AN”; strike beginning with “without” in line 26 down through “allowance,” in line 27; in line 32, after the semicolon insert “AND”; and in line 33, strike the semicolon and substitute a period.

On pages 4 and 5, strike in their entirety the lines beginning with line 34 on page 4 through line 9 on page 5, inclusive.

On page 5, in line 10, strike “(I) WHOSE CURRENT EMPLOYER IS” and substitute:

“(B) (1) THE BOARD OF TRUSTEES SHALL REDUCE THE ALLOWANCE OF AN INDIVIDUAL WHO ACCEPTS EMPLOYMENT AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION IF:

(Over)

(I) THE INDIVIDUAL'S CURRENT EMPLOYER IS";
in line 15, strike "OR"; in line 16, strike "WHOSE" and substitute "THE INDIVIDUAL'S"; in line 18, strike "WHOSE" and substitute "THE INDIVIDUAL'S"; in line 21, after "GOVERNMENT" insert "; OR

(III) THE INDIVIDUAL BECOMES REEMPLOYED WITHIN 12 MONTHS OF RECEIVING AN EARLY SERVICE RETIREMENT ALLOWANCE UNDER § 22-402 OF THIS SUBTITLE.

(2) THE REDUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL:

(I) THE AMOUNT BY WHICH THE SUM OF THE INDIVIDUAL'S INITIAL ANNUAL BASIC ALLOWANCE AND THE INDIVIDUAL'S ANNUAL COMPENSATION EXCEEDS THE AVERAGE FINAL COMPENSATION USED TO COMPUTE THE BASIC ALLOWANCE; OR

(II) FOR A RETIREE WHO RETIRED UNDER THE WORKFORCE REDUCTION ACT (CHAPTER 353 OF THE ACTS OF 1996), THE AMOUNT BY WHICH THE SUM OF THE RETIREE'S ANNUAL COMPENSATION AND THE RETIREE'S ANNUAL BASIC ALLOWANCE AT THE TIME OF RETIREMENT, INCLUDING THE INCENTIVE PROVIDED BY THE WORKFORCE REDUCTION ACT, EXCEEDS THE AVERAGE FINAL COMPENSATION USED TO COMPUTE THE BASIC ALLOWANCE.

(3) A REDUCTION OF AN EARLY SERVICE RETIREMENT ALLOWANCE UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE APPLIED ONLY UNTIL THE INDIVIDUAL HAS RECEIVED AN ALLOWANCE FOR 12 MONTHS";

in line 22, strike "(2)" and substitute "(4)"; and in the same line, strike "This subsection" and substitute "EXCEPT FOR AN INDIVIDUAL WHOSE ALLOWANCE IS SUBJECT TO A REDUCTION AS PROVIDED UNDER PARAGRAPHS (1)(I) AND (3) OF THIS SUBSECTION, THE REDUCTION OF AN ALLOWANCE UNDER THIS SUBSECTION".

On page 7, strike in their entirety lines 13 through 21, inclusive.

On page 8, in line 2, strike "(B)(2)(V)" and substitute "(B)(4)(V)"; in line 3, strike

“(B)(2)(VI)” and substitute “(B)(4)(VI)”; and in line 18, strike “(B)(2)(VI)” and substitute “(B)(4)(VI)”.

AMENDMENT NO. 4

On page 8, in line 37, strike “Subject to subsection (b) of this section, an” and substitute “AN”.

On page 9, strike beginning with “without” in line 1 down through “allowance,” in line 2; in line 4, after the semicolon insert “AND”; in line 5, after “received” insert a period; strike beginning with the semicolon in line 5 down through “IS” in line 17 and substitute:

“(B) (1) THE BOARD OF TRUSTEES SHALL REDUCE THE ALLOWANCE OF AN INDIVIDUAL WHO ACCEPTS EMPLOYMENT AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION IF:

(I) THE INDIVIDUAL’S CURRENT EMPLOYER IS”;

in line 22, strike “OR”; in line 23, strike “WHOSE” and substitute “THE INDIVIDUAL’S”; in line 25, strike “WHOSE” and substitute “THE INDIVIDUAL’S”; in line 28, after “GOVERNMENT” insert “; OR

(III) THE INDIVIDUAL BECOMES REEMPLOYED WITHIN 12 MONTHS OF RECEIVING AN EARLY SERVICE RETIREMENT ALLOWANCE OR AN EARLY VESTED ALLOWANCE COMPUTED UNDER § 23-402 OF THIS SUBTITLE.

(2) THE REDUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL:

(I) THE AMOUNT BY WHICH THE SUM OF THE INDIVIDUAL’S INITIAL ANNUAL BASIC ALLOWANCE AND THE INDIVIDUAL’S ANNUAL COMPENSATION EXCEEDS THE AVERAGE FINAL COMPENSATION USED TO COMPUTE THE BASIC ALLOWANCE; OR

(II) FOR A RETIREE WHO RETIRED UNDER THE WORKFORCE

REDUCTION ACT (CHAPTER 353 OF THE ACTS OF 1996), THE AMOUNT BY WHICH THE SUM OF THE RETIREE'S ANNUAL COMPENSATION AND THE RETIREE'S ANNUAL BASIC ALLOWANCE AT THE TIME OF RETIREMENT, INCLUDING THE INCENTIVE PROVIDED BY THE WORKFORCE REDUCTION ACT, EXCEEDS THE AVERAGE FINAL COMPENSATION USED TO COMPUTE THE BASIC ALLOWANCE.

(3) A REDUCTION OF AN EARLY SERVICE RETIREMENT ALLOWANCE OR AN EARLY VESTED ALLOWANCE UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE APPLIED ONLY UNTIL THE INDIVIDUAL HAS RECEIVED AN ALLOWANCE FOR 12 MONTHS";

in line 29, strike "(2)" and substitute "(4)"; and in the same line, strike "This subsection" and substitute "EXCEPT FOR AN INDIVIDUAL WHOSE ALLOWANCE IS SUBJECT TO A REDUCTION AS PROVIDED UNDER PARAGRAPHS (1)(I) AND (3) OF THIS SUBSECTION, THE REDUCTION OF AN ALLOWANCE UNDER THIS SUBSECTION".

On page 11, strike in their entirety lines 10 through 18, inclusive; in line 36, strike "(B)(2)(III)" and substitute "(B)(4)(III)"; and in line 37, strike "(B)(2)(IV)" and substitute "(B)(4)(IV)".

On page 12, in line 15, strike "(B)(2)(IV)" and substitute "(B)(4)(IV)".

AMENDMENT NO. 5

On page 12, in line 34, strike "Subject to subsection (b) of this section, an" and substitute "AN"; and strike beginning with "without" in line 36 down through "allowance," in line 37.

On page 13, strike beginning with "EXCEPT" in line 2 down through "WHOSE" in line 3 and substitute "THE BOARD OF TRUSTEES SHALL REDUCE THE ALLOWANCE OF AN INDIVIDUAL WHO ACCEPTS EMPLOYMENT AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION IF THE INDIVIDUAL'S"; in line 4, strike "WHOSE" and substitute "THE INDIVIDUAL'S"; after line 7, insert:

"(2) THE REDUCTION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL THE AMOUNT BY WHICH THE SUM OF THE INDIVIDUAL'S INITIAL

ANNUAL BASIC ALLOWANCE AND THE INDIVIDUAL'S ANNUAL COMPENSATION EXCEEDS THE AVERAGE FINAL COMPENSATION USED TO COMPUTE THE BASIC ALLOWANCE.”;

in line 8, strike “(2)” and substitute “(3)”; in the same line, strike “This subsection” and substitute “THE REDUCTION UNDER THIS SUBSECTION”; and strike in their entirety lines 15 through 18, inclusive.

AMENDMENT NO. 6

On page 14, in line 7, strike “(2)” and substitute “(4)”; in the same line, strike “This” and substitute “Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(i) and (3) of this subsection, the reduction of an allowance under this”; in line 28, strike “(B)(2)(VIII)” and substitute “(B)(4)(VIII)”; in line 30, strike “(2)” and substitute “(4)”; and in the same line, strike “This” and substitute “Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(i) and (3) of this subsection, the reduction of an allowance under this”.

On page 15, in line 16, strike “(B)(2)(VI)” and substitute “(B)(4)(VI)”.

AMENDMENT NO. 7

On page 17, in line 30, strike “5” and substitute “3”; and in line 31, strike “2006” and substitute “2004”.