



General Assembly

January Session, 2003

**Amendment**

LCO No. 3417

\*HB0639703417SR0\*

Offered by:

SEN. DELUCA, 32<sup>nd</sup> Dist.  
SEN. ANISKOVICH, 12<sup>th</sup> Dist.  
SEN. CAPPIELLO, 24<sup>th</sup> Dist.  
SEN. COOK, 18<sup>th</sup> Dist.  
SEN. FREEDMAN, 26<sup>th</sup> Dist.  
SEN. GENUARIO, 25<sup>th</sup> Dist.  
SEN. GUGLIELMO, 35<sup>th</sup> Dist.

SEN. GUNTHER, 21<sup>st</sup> Dist.  
SEN. HERLIHY, 8<sup>th</sup> Dist.  
SEN. KISSEL, 7<sup>th</sup> Dist.  
SEN. MCKINNEY, 28<sup>th</sup> Dist.  
SEN. NICKERSON, 36<sup>th</sup> Dist.  
SEN. RORABACK, 30<sup>th</sup> Dist.  
SEN. SMITH, 14<sup>th</sup> Dist.

To: House Bill No. 6397

File No.

Cal. No. 45

(As Amended)

**"AN ACT CONCERNING STATE EXPENDITURE AND REVENUE  
ADJUSTMENTS."**

1 Strike section 6 and insert the following in lieu thereof:

2 "Sec. 6. (*Effective from passage*) (a) Notwithstanding any provision of  
3 the general statutes or any provision of any public or special act, any  
4 revision to allotment requisitions or allotments in force made pursuant  
5 to sections 1 to 5, inclusive, of this act affecting (1) grants to  
6 municipalities, or (2) appropriated accounts with more than one  
7 grantee, shall be made proportionately to remain within the revised  
8 allotment.

9 (b) There shall be an Early Retirement Incentive Program (ERIP)  
10 offered to full-time and part-time state employees, as described below,  
11 in addition to the normal retirement program.

12 A. Eligibility Rules.

13 The following members of the State Employees Retirement System  
14 (SERS) shall be eligible to participate in the program:

15 1. All state employees who will be at least fifty-two years of age on  
16 or before May 31, 2003, and who retire directly from employment and  
17 begin immediately receiving normal or early retirement benefits under  
18 Tier I, Tier II or Tier IIA and whose effective date of retirement is from  
19 March 1, 2003, to June 1, 2003, inclusive;

20 2. Who have at least ten years of actual state service in the SERS; and

21 3. In the case of hazardous duty employees, a minimum of twenty  
22 years of actual state service in the SERS.

23 B. Effective Date of Retirement.

24 All retirements under the program shall be effective March 1, 2003,  
25 April 1, 2003, May 1, 2003, or June 1, 2003. At the state's option, the  
26 effective date of any retirement may be deferred on a case by case basis  
27 to not later than June 1, 2004, for hazardous duty members, employees  
28 of the retirement division of the Office of the State Comptroller, and  
29 employees of the budget division of the Office of Policy and  
30 Management. Requests to defer retirement shall be made in writing to  
31 the member with copies to the appropriate bargaining unit  
32 representative. If the state requests any such member or employee to  
33 stay beyond May 31, 2003, and the employee refuses to do so, the  
34 employee shall continue to be eligible for the ERIP.

35 C. Incentive.

36 An individual who is eligible for the ERIP shall be permitted to add  
37 up to three years to age or up to three years to service, or any

38 combination not to exceed three years in total. The credit shall first be  
39 added to age until it reaches age fifty-five. Hazardous duty members  
40 shall have the credit added to their service. Incentive years shall only  
41 be used in whole units of one month.

42 D. Restrictions.

43 1. For purposes of this program, a full-time employee is one who  
44 works thirty-five or more hours per week.

45 2. Actual age shall be used in calculation of all related benefits  
46 including, but not limited to, Plan B reductions and Group Life  
47 Insurance. Actual paid wages, not projected wages, shall be used in all  
48 benefit calculations. Accrued vacation days at the date of retirement  
49 shall be credited as increased service time.

50 3. Disability retirement and employees eligible for terminated  
51 vested retirement benefits are excluded from this program.

52 E. Payment for Unused Sick and Vacation Days.

53 1. Any employee participating in the incentive program shall be  
54 eligible for payment of accrued sick days and for the balance of  
55 vacation leave in accordance with existing rules, modified as follows:  
56 One-third of the amount owed such employee on July 1, 2005; one-  
57 third of such amount on July 1, 2006, and one-third of such amount on  
58 July 1, 2007.

59 2. The state may, at its option, make the payment in one installment  
60 on or before July 2005, if the amount of the payment is less than \$2,000.

61 F. Applicability to Former Employees.

62 An employee who was laid off or whose position was abolished  
63 between November 1, 2002, and May 31, 2003, who would otherwise  
64 have been eligible for the Early Retirement Incentive Program shall be

65 eligible to receive the benefits of the plan beginning March 1, 2003, if  
66 such employee is at least fifty-two years of age. If an employee who  
67 was laid off or whose position was abolished attains the age of fifty-  
68 two prior to May 31, 2003, such employee shall be eligible for the ERIP  
69 on the first day of the month following the month of such employee's  
70 birthday. Any such employee who retires shall not be rehired. If such  
71 employee has received payment for accrued vacation and sick leave,  
72 such employee shall not be required to repay such amount in order to  
73 be eligible for ERIP.

74 (c) The additional allotment reduction not exceeding 1.75% of any  
75 appropriated account required pursuant to section 5 of this act shall  
76 not affect allotments for: Aid to municipalities; personal services;  
77 higher education operating expenses, or entitlements.

78 (d) The Department of Correction shall open a facility located in  
79 Suffield on or after July 1, 2003.

80 (e) Notwithstanding any provision of the general statutes or any  
81 provision of any public or special act, (1) for the fiscal year ending June  
82 30, 2003, the sum of \$8,900,000 shall be transferred from the principal  
83 of the Soldiers, Sailors and Marines' Fund to the resources of the  
84 General Fund, and (2) for the fiscal years ending June 30, 2004, and  
85 June 30, 2005, amounts necessary for payments pursuant to the  
86 provisions of section 12-81g of the general statutes shall be  
87 appropriated to the Office of Policy and Management from the  
88 principal of said fund.

89 (f) The sum of \$21,000,000 shall be transferred from the Special  
90 Transportation Fund to the resources of the General Fund.

91 (g) The sum of \$10,000,000 shall be transferred from the Probate  
92 Court Administration Fund to the resources of the General Fund.

93 (h) The sum of \$2,500,000 shall be transferred from the commercial  
94 recording account established pursuant to section 3-99c of the general  
95 statutes to the resources of the General Fund.

96 (i) The Retirement Commission shall request an actuarial interim  
97 valuation to take into account the Early Retirement Incentive Program  
98 established by this section and shall certify revised contribution  
99 amounts to the General Assembly for the biennium ending June 30,  
100 2005.

101 (j) Subject to state personnel policy and the terms of any collective  
102 bargaining agreement in effect on the effective date of this act, the  
103 Secretary of the Office of Policy and Management shall ensure that, on  
104 or before March 1, 2003, any employee who received notice of layoff  
105 from the state on or after November 1, 2002, shall be offered the  
106 opportunity to be reinstated in the position which such employee held  
107 on the date that the employee received notice of such layoff. The  
108 provisions of this subsection shall not apply to layoffs occurring as a  
109 result of the termination of grant-funded or durational positions,  
110 failure to renew appointment for performance reasons, or denial of  
111 tenure for performance reasons. Each person laid off but returned to  
112 employment with the state pursuant to this section shall be deemed to  
113 have been continuously employed by the state, with no interruption in  
114 service or pension credit, during any period that such person was laid  
115 off on or after November 1, 2002, to June 30, 2003.

116 (k) During the fiscal year ending June 30, 2003, no further  
117 modifications to allotment requisitions or allotments in force shall be  
118 made to payments pursuant to section 10-266p of the general statutes."