General Assembly

Amendment

January Session, 2019

LCO No. 10881

Offered by:
SEN. FASANO, 34th Dist.
SEN. WITKOS, 8th Dist.

To: House Bill No. 6935
File No. 1022
Cal. No. 651

"AN ACT CONCERNING THE RIGHT OF A PUBLIC EMPLOYEE TO JOIN OR SUPPORT A UNION."

1 Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. (NEW) (Effective October 1, 2019) Notwithstanding any provision of the general statutes, any member of the state employees retirement system who retires on or after July 1, 2027, and receives retirement income under said system, or such member's successor beneficiary, except a person receiving survivor's benefits, shall, beginning the first day of January or July that follows nine months in retirement, be eligible for an annual cost-of-living adjustment as follows: The cost-of-living adjustment shall be calculated by using the percentage cost-of-living adjustment granted by the Social Security Administration for the applicable year, computed on the basis of the retirement benefits to which such retired member or successor beneficiary was entitled on the last day of the preceding December or June, as applicable, provided (1) no cost-of-living allowance shall
exceed five per cent; and (2) if the total return earned on the market
value of the pension assets for the preceding fiscal year is less than
eight and one-half per cent, any cost-of-living adjustment granted shall
not exceed one per cent; if such total return for the preceding fiscal
year is greater than eight and one-half per cent but less than eleven
and one-half per cent, any cost-of-living allowance granted shall not
exceed three per cent; and if such return exceeds eleven and one-half
per cent, any cost-of-living allowance granted shall not exceed five per
cent.

Sec. 2. Subsection (e) of section 5-278 of the general statutes are
repealed and the following is substituted in lieu thereof (Effective
October 1, 2019):

(e) Where there is a conflict between any agreement or arbitration
award approved in accordance with the provisions of sections 5-270 to
5-280, inclusive, on matters appropriate to collective bargaining, as
defined in said sections, and any general statute or special act, except
section 1 of this act, or regulations adopted by any state agency, the
terms of such agreement or arbitration award shall prevail; provided if
participation of any employees in a retirement system is effected by
such agreement or arbitration award, the effective date of participation
in said system, notwithstanding any contrary provision in such
agreement or arbitration award, shall be the first day of the third
month following the month in which a certified copy of such
agreement or arbitration award is received by the Retirement
Commission or such later date as may be specified in the agreement or
arbitration award."

This act shall take effect as follows and shall amend the following
sections:

<table>
<thead>
<tr>
<th>Section 1</th>
<th>October 1, 2019</th>
<th>New section</th>
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<tbody>
<tr>
<td>Sec. 2</td>
<td>October 1, 2019</td>
<td>5-278(e)</td>
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