

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

**MR. SPEAKER:**

I move that Engrossed Senate Bill 120 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 state and local administration.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 4-3-3-1.1, AS AMENDED BY P.L.6-1996,
- 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 1998]: Sec. 1.1. (a) An individual who holds the office of
- 9 governor for any length of time during one (1) term of that office is
- 10 entitled to receive an annual retirement benefit under subsection (e).
- 11 Provided, however, an individual who succeeds to the office of
- 12 governor without being elected is not entitled to an annual retirement
- 13 benefit under this section unless such person serves for more than one
- 14 (1) year of the term of the office.
- 15 (b) An individual who holds the office of governor for any length
- 16 of time during each of two (2) separate terms of that office is entitled
- 17 to receive an annual retirement benefit under subsection (f).
- 18 (c) If an individual who holds the office of governor resigns or is
- 19 removed from office, during a term of that office, for any reason except
- 20 a mental or physical disability that renders him unable to discharge the
- 21 powers and duties of the office, then the term during which he resigned
- 22 or was removed may not be considered for determining his annual
- 23 retirement benefit under this section.
- 24 (d) The retirement benefit shall be paid in equal monthly

1 installments by the treasurer of state on warrant of the auditor of state  
 2 after a claim has been made for the retirement benefit to the auditor by  
 3 the governor or a person acting on his behalf. A governor shall choose  
 4 the date on which he will begin receiving his retirement benefit;  
 5 however, the date must be the first state employee payday of a month.  
 6 A governor may not receive the retirement benefit as long as he holds  
 7 an elective position with any federal, state, or local governmental unit,  
 8 and he may not receive the retirement benefit until he has reached at  
 9 least age sixty-two (62) years. The governor's choice of initial benefit  
 10 payment date and the governor's choice of benefit payment amount  
 11 under subsections (e) and (f) are revocable until the governor receives  
 12 the first monthly installment of his retirement benefit; after that  
 13 installment is received, the choice of date and the choice of amount are  
 14 irrevocable.

15 (e) With respect to a governor who is entitled to a retirement  
 16 benefit under subsection (a):

17 (1) if he chooses to begin receiving his retirement benefit on or  
 18 after the date he reaches age sixty-two (62) years but before he  
 19 reaches age sixty-five (65) years, he may choose to receive:

20 (A) the retirement benefits he is entitled to, if any, from the  
 21 public employees' retirement fund;

22 (B) thirty percent (30%) of the governor's ~~highest~~ annual  
 23 salary ~~received during his term of office set in IC 4-2-1-1~~  
 24 for the remainder of his life; or

25 (C) twelve thousand dollars (\$12,000) each year for the  
 26 remainder of his life; or

27 (2) if he chooses to begin receiving his retirement benefit on or  
 28 after the date he reaches age sixty-five (65) years, he may choose  
 29 to receive:

30 (A) the retirement benefits he is entitled to, if any, from the  
 31 public employees' retirement fund;

32 (B) forty percent (40%) of the governor's ~~highest~~ annual  
 33 salary ~~received during his term of office set in IC 4-2-1-1~~  
 34 for the remainder of his life; or

35 (C) fifteen thousand dollars (\$15,000) each year for the  
 36 remainder of his life.

37 (f) With respect to a governor who is entitled to a retirement  
 38 benefit under subsection (b):

39 (1) if he chooses to begin receiving his retirement benefit on or  
 40 after the date he reaches age sixty-two (62) years but before he  
 41 reaches age sixty-five (65) years, he may choose to receive:

42 (A) the retirement benefits he is entitled to, if any, from the  
 43 public employees' retirement fund;

44 (B) forty percent (40%) of the governor's ~~highest~~ annual  
 45 salary ~~received during his term of office set in IC 4-2-1-1~~  
 46 for the remainder of his life; or

1 (C) twenty-one thousand five hundred dollars (\$21,500)  
2 each year for the remainder of his life; or  
3 (2) if he chooses to begin receiving his retirement benefit on or  
4 after the date he reaches age sixty-five (65) years, he may choose  
5 to receive:  
6 (A) the retirement benefits he is entitled to, if any, from the  
7 public employees' retirement fund;  
8 (B) fifty percent (50%) of the governor's ~~highest~~ annual  
9 salary ~~received during his term of office set in IC 4-2-1-1~~  
10 for the remainder of his life; or  
11 (C) twenty-four thousand dollars (\$24,000) each year for  
12 the remainder of his life."  
13 Renumber all SECTIONS consecutively.  
(Reference is to ESB 120 as printed February 18, 1998.)

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Representative Mannweiler