

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1986 be amended to read as follows:

- 1           Page 2, between lines 34 and 35, begin a new paragraph and  
2           insert:  
3           "SECTION 3. IC 21-6.1-2-8 IS AMENDED TO READ AS  
4           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) It is the intent  
5           of the 1995 session of the general assembly that the state create a  
6           program to stabilize the state's general fund teacher pension  
7           expenditures as a percentage of the general fund budget.  
8           (b) The pension stabilization fund is established. The pension  
9           stabilization fund shall be a part of the pre-1996 account, and shall be  
10          administered by the board of trustees of TRF in accordance with the  
11          powers and duties granted to the board of trustees in IC 21-6.1-3-6,  
12          IC 21-6.1-3-7, and IC 21-6.1-3-9 through IC 21-6.1-3-15.  
13          (c) Amounts allocated to the pension stabilization fund under  
14          IC 4-30-16-3, a portion of employer reserve balance (as determined by  
15          the budget director so that the employer reserve is sufficient for the  
16          cash flow needs), and other amounts appropriated to the pension  
17          stabilization fund by the general assembly shall be deposited in the  
18          pension stabilization fund.  
19          (d) Expenditures from the fund may not be made until state fiscal  
20          year 2006. After state fiscal year 2006, payments from the fund will  
21          equal the pre-1996 Indiana state teachers' retirement fund pension  
22          liabilities for the current fiscal year minus the prior year's state general  
23          fund payments for the pre-1996 Indiana state teachers' retirement fund  
24          times the pension stabilization percentage. The pension stabilization  
25          percentage shall be set at one hundred six percent (106%). The budget  
26          agency, after review by the state budget committee and with the  
27          approval of the governor, may change the pension stabilization  
28          percentage such that the present value of future payments from the  
29          fund equal the fund's balance plus the present value of future receipts  
30          to the fund, but the payments may not allow the fund balance to be  
31          negative.  
32          (e) Money in the pension stabilization fund at the end of a state

1 fiscal year does not revert to the state general fund.  
2 (f) Unless expressly authorized by law, a person who  
3 knowingly or intentionally authorizes, makes, or causes  
4 expenditures to be made from the pension stabilization fund in  
5 violation of this section commits official misconduct as defined in  
6 IC 35-44-1-2.”.

7 Page 6, after line 29, insert:  
8 "SECTION 7. An emergency is declared for this act."  
9 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1986 as printed March 30, 1999.)

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Senator KENLEY

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