

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 64 be amended to read as follows:

- 1 Page 6, between lines 18 and 19, begin a new paragraph and insert:
- 2 "SECTION 6. IC 5-10.3-7-2 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The following
- 4 employees may not be members of the fund:
- 5 (1) Officials of a political subdivision elected by vote of the
- 6 people, unless the governing body specifically provides for the
- 7 participation of locally elected officials. **However, a constable**
- 8 **elected in a township located in a consolidated city may elect**
- 9 **to become a member of the public employees' retirement fund**
- 10 **without any action by the township governing body. A**
- 11 **constable making an election under this subdivision must file**
- 12 **the election with the board and with the township governing**
- 13 **body.**
- 14 (2) Employees occupying positions normally requiring
- 15 performance of service of less than six hundred (600) hours
- 16 during a year who:
- 17 (A) were hired before July 1, 1982; or
- 18 (B) are employed by a participating school corporation.
- 19 (3) Independent contractors or officers or employees paid wholly
- 20 on a fee basis.
- 21 (4) Employees who occupy positions that are covered by other
- 22 pension or retirement funds or plans, maintained in whole or in
- 23 part by appropriations by the state or a political subdivision,
- 24 except:

- 1 (A) the federal Social Security program; and
- 2 (B) the prosecuting attorneys retirement fund created by
- 3 IC 33-14-9.
- 4 (5) Managers or employees of a license branch of the bureau of
- 5 motor vehicles commission, except those persons who may be
- 6 included as members under IC 9-16-4.
- 7 (6) Employees, except employees of a participating school
- 8 corporation, hired after June 30, 1982, occupying positions
- 9 normally requiring performance of service of less than one
- 10 thousand (1,000) hours during a year.
- 11 (7) Persons who:
- 12 (A) are employed by the state;
- 13 (B) have been classified as federal employees by the Secretary
- 14 of Agriculture of the United States; and
- 15 (C) are covered by the federal Social Security program as
- 16 federal employees under 42 U.S.C. 410.
- 17 (8) Members and employees of the state lottery commission.

18 SECTION 7. IC 5-10.3-7-7.6 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE UPON PASSAGE]: **Sec. 7.6. Notwithstanding any**
 21 **provision of IC 5-10.2 or IC 5-10.3, a constable elected in a**
 22 **township located in a consolidated city who elects under section 2**
 23 **of this chapter to be a member of the public employees' retirement**
 24 **fund is entitled to service credit for service as a constable after**
 25 **December 31, 1991, and before the constable becomes a member of**
 26 **the public employees' retirement fund if the constable pays into the**
 27 **constable's annuity savings account an amount equal to three**
 28 **percent (3%) of the compensation earned for service as a constable**
 29 **during that period. The annual compensation used to determine**
 30 **the amount a constable must contribute under this section may not**
 31 **exceed seventy-five thousand dollars (\$75,000)."**

32 Page 10, after line 16, begin a new paragraph and insert:
 33 "SECTION 10. **An emergency is declared for this act.**"
 34 Renumber all SECTIONS consecutively.
 (Reference is to ESB 64 as printed February 11, 2000.)

Representative Summers