

S.F. No. 0095	Early retirement.
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Sponsored By: Senator(s) Meier, Bebout, Driskill, Pappas and Perkins and Representative(s) Haley, Hunt, Jennings, Miller, Steinmetz and Zwonitzer

AN ACT relating to retirement; creating an early retirement option for state employees to be administered by the Wyoming retirement board; specifying qualifications of state employees eligible for early retirement; specifying payments and benefits for early retirement; providing for restrictions on filling and transferring vacant positions; requiring reports; providing for an appropriation; and providing for an effective date.

1/16/2017 Bill Number Assigned
1/17/2017 S Received for Introduction
1/17/2017 S Introduced and Referred to S03 - Revenue
2/2/2017 S03 - Revenue:Recommend Amend and Do Pass 3-2-0-0-0

ROLL CALL

Ayes: Senator(s) Case, Kinskey, Peterson
Nays: Senator(s) Ellis, Wasserburger
Ayes 3 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/2/2017 Rerefer to S02 - Appropriations
2/3/2017 S02 - Appropriations:No Recommendation 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Burns, Dockstader, Driskill, Hastert, Landen B
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/3/2017 S Placed on General File

SF0095SS001/ADOPTED

Page 1-line 6 After "filling" insert "and transferring".
Page 2-line 6 After "ineffective." insert "Unless earlier withdrawn by the qualified state employee, an election to take early retirement, once granted pursuant to this section, shall not be withdrawn and is a legally binding obligation of the state employee."
Page 2-line 9 After "act" insert "according to rules the board may promulgate".
Page 2-line 20 After "may," insert "at the director's sole discretion but".
Page 2-line 22 Delete "(a)" insert "(c)".
Page 3-line 2 After "2019." insert "If the state employee is an employee of the executive branch, in addition to the director, the governor may in the governor's sole discretion and with notice to the employee's director either grant or deny an employee request for early retirement."
Page 3-After line 6 Insert:

"(d) As used in this act "employee" and "state employee" mean any individual entering into the service of or working under an employment contract with any agency of the state of Wyoming for which compensation is paid or which qualifies the individual to participate in the state retirement account and shall:

(i) Not include employees of the University of Wyoming or any Wyoming community college;

(ii) Not include school district employees; and

(iii) Only include employees whose salary derives more than fifty percent (50%) from state funds."

Page 3-line 10 Delete.

Page 3-line 11 Delete "this section, state" insert "(a) State".

Page 3-lines 18 through 23 Delete and renumber.

Page 4-lines 2 through 9 Delete.

Page 4-lines 11 and 12 Delete and insert:

"(ii) Are qualified under W.S. 9-3-415(a) to take normal retirement benefits."

Page 4-lines 19 through 22 Delete.

Page 5-line 5 Delete "shall" insert "may".

Page 5-line 8 After "dependents" insert "for up to five (5) years or".

Page 5-line 9 After "(65)" insert ", whichever is less, calculated as provided in subsection (b) of this section".

Page 5-line 11 After "determined" insert "and issued".

Page 5-line 13 Delete "not to exceed one thousand" insert "calculated as provided in subsection (b) of this section."

Page 5-lines 14 through 16 Delete and insert "A state employee electing to take early retirement under this act whose qualifying status changes before July 1, 2017, may elect before July 1, 2017 to receive monthly payments for family coverage calculated as provided in subsection (b) of this section."

Page 5-line 19 After "following" insert "as determined and issued by the department of administration and information".

Page 5-lines 21 through 23 Delete.

Page 6-lines 1 through 3 Delete.

Page 6-After line 3 Insert:

"(i) An amount not to exceed thirty-one thousand seven hundred fifty-two dollars (\$31,752.00) for family coverage or an amount not to exceed twenty thousand one hundred eighty-four dollars (\$20,184.00) for single coverage:

(A) Applied to the employee's monthly health insurance premium for up to five (5) years according to the period of time the employee elects to maintain coverage; and

(B) Provided the employee pays any remaining monthly balance due for the health insurance premium."

Page 6-line 5 Delete "sixty-one (61)" insert "sixty-five (65)".

Page 6-lines 11 through 15 Delete.

Page 6-line 16 Delete "which the employee's death occurred." insert "(c)".

Page 8-line 1 Delete.

Page 8-line 2 Delete "section, no" insert "(a) Any".

Page 8-line 4 Delete "without the approval of" insert "only".

Page 8-After line 4 Insert:

"(i) After the governor exercises his sole discretion and authority to transfer up to thirty percent (30%) of the remaining positions

among or between agencies. Any position the governor transfers shall include the position and appropriation attached thereto; and

(ii) Subject to available funds within each agency's available personal services (100 series) appropriation."

Page 8-lines 6 through 16 Delete.

Page 9-lines 17 through 22 Delete and renumber.

Page 10-lines 1 through 12 Delete.

Page 10-line 14 Delete.

Page 10-line 15 Delete "section" insert "(c) For executive branch, the governor, for legislative branch, the management council and for judicial branch, the chief justice of Wyoming".

Page 11-line 5 Delete "twenty percent (20%)".

Page 11-line 6 Delete "retirement salary and". PETERSON, CHAIRMAN

SF0095SW001/ADOPTED

Page 8-line 2 Delete the first standing committee amendment (SF0095SS001/A) to this line and further amend as follows: Delete "section, no vacancy" insert "(a) Fifty percent (50%) of any vacancies".

Page 8-After line 4 Delete the first standing committee amendment (SF0095SS001/A) to this line and further amend as follows: Insert:

"(i) After the governor exercises his sole discretion and authority to transfer up to thirty percent (30%) of the remaining positions among or between agencies. Any position the governor transfers shall include the position and appropriation attached thereto;

(ii) Subject to available funds within each agency's available personal services (100 series) appropriation; and

(iii) Upon fully obligating sufficient funds to pay separation costs and benefit costs under this act."

Page 10-After line 21 Insert:

"(d) The Wyoming retirement board shall analyze and report any unfunded liability resulting from this act. The state auditor shall certify the savings identified in subsection (c) of this section and transfer the savings to the Wyoming retirement board to pay for the reported unfunded liabilities.". MEIER, CASE

2/3/2017 S COW:Passed

SF0095S2001/ADOPTED

Page 6-lines 5 through 9 Delete.

Page 8-After line 4 In the Meier committee of the whole amendment (SF0095SW001/A) to this line, delete paragraph (i) and insert:

"(i) Notwithstanding W.S. 9-2-1005(a) and (c), after the governor exercises sole discretion and authority to transfer up to thirty percent (30%) of the vacancies eligible to be repopulated among or between agencies in the executive branch. Any position the governor transfers shall include the position and appropriation attached thereto;"

Page 10-After line 21 Delete the Meier committee of the whole amendment (SF0095SW001/A) to this line, and further amend as follows: Insert:

"(d) Not later than August 1 of each year, the Wyoming retirement board shall analyze any state retirement programs under which any employee retires under this act and certify any actuarially unfunded liability resulting from retirement under this act. Not later than sixty (60) days after receiving the report required by this subsection from the Wyoming

retirement board and the reports in subsection (c) of this section, the state auditor shall certify the savings identified in subsection (c) of this section and transfer up to the certified amount of the actuarially unfunded liabilities from the realized savings to the Wyoming retirement board for deposit into the appropriate state retirement plan fund.". CASE

2/6/2017 S 2nd Reading:Passed

SF0095S3001/ADOPTED

Page 3-After line 6 In the first senate standing committee amendment (SF0095SS001/A) to this line, delete paragraph (iii) and further amend as follows: Insert:

"(iii) Only include employees whose salary derives more than fifty percent (50%) from state funds. For purposes of this section "state funds" means funds for which the control of the fund is unrestricted for payment of salaries and benefits and any other purpose under this act.". MEIER

SF0095S3002/ADOPTED

Page 2-line 10 Delete "of" insert "that they are conditionally eligible for". MEIER

SF0095S3003/ADOPTED

Page 6-lines 5 through 9 Delete the Case second reading amendment (SF0095S2001/A) to these lines.

Page 6-line 5 Delete the first senate standing committee amendment (SF0095SS001/A) to this line, and further amend as follows: delete "sixty-one (61)" insert "sixty-seven (67)".

Page 6-line 7 Delete "three (3)" insert "two (2)". MEIER

SF0095S3004/FAILED

Page 4-lines 11 and 12 Delete the first standing committee amendment (SF0095SS001/A) to these lines, and further amend as follows: Insert:

"(ii) Are qualified under W.S. 9-3-415(a) or 9-3-607(a) or (b) to take normal retirement benefits.". NETHERCOTT

2/7/2017 S 3rd Reading:Passed 28-2-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Scott, Von Flatern

Nays: Senator(s) Rothfuss, Wasserburger

Ayes 28 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/8/2017 H Received for Introduction

2/21/2017 H Introduced and Referred to H02 - Appropriations

2/27/2017 H postponed indefinitely