

Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 27 with the following:

27 Average Final Compensation. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean:

(a) For **group I** members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009, if less than 7 years.

(b) For group II members who attained vested status prior to September 1, 2013, the average annual earnable compensation shall be calculated based on the member's highest 3 years of creditable service, or during all years of creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in the member's creditable service on or after July 1, 2009, if less than 7 years.

~~[(b)]~~ (c) For group I members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

~~[(c)(1)]~~ (d)(1) For group II members who commenced service ~~[prior to July 1, 2011]~~ on or after July 1, 2001, and who have not attained vested status prior to ~~[January 1, 2012,]~~ September 1, 2013, the average annual earnable compensation of a member during his or her highest 5 years of

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1 creditable service, or during all of the years in his or her creditable service if less than 5 years. For
2 purposes of inclusion in this calculation, the average percentage of compensation paid in excess of
3 the full base rate of compensation in the highest 5 years shall not exceed the average percentage of
4 compensation paid in excess of the full base rate of compensation over all the member's years of
5 service on or after ~~[January 1, 2012]~~ **September 1, 2013**.

6 (2) For group II members who commenced service on or after July 1, 2011, ~~and who~~
7 ~~have not attained vested status prior to January 1, 2012,~~ the average annual earnable
8 compensation of a member during his or her highest 5 years of creditable service, or during all of the
9 years in his or her creditable service if less than 5 years. For purposes of inclusion in this
10 calculation, the average percentage of compensation paid in excess of the full base rate of
11 compensation in the highest 5 years shall not exceed the average percentage of compensation paid in
12 excess of the full base rate of compensation over all the member's years of service on or after
13 January 1, 2012, but excluding the highest 5 years.