HLS 16RS-51 REENGROSSED

2016 Regular Session

HOUSE BILL NO. 14

BY REPRESENTATIVE PEARSON

RETIREMENT/BDS - COMMISSIONS: Replaces the chairman of the House Committee on Retirement with a member of the House Committee on Retirement appointed by the speaker of the House of Representatives as trustee on each state and statewide retirement system board

1 AN ACT 2 To amend and reenact R.S. 11:181(A)(introductory paragraph), (B)(introductory paragraph), 3 and (E), 511(1), 822(A)(5), 1162(A)(2), 1302(A)(6) and (7), 1471(A) and (C), 1541, 4 1651(B)(1), 1821(B)(5), 1981(B), 2091(B)(1), 2173(A)(introductory paragraph), 5 2225(A)(2)(a), and 2260(A)(2)(d) and to enact R.S. 11:2173(A)(7) and (8), relative 6 to boards of trustees of the state and statewide retirement systems, plans, and funds; 7 to authorize certain officers of the legislature to be trustees on such boards; to 8 authorize appointment of designees; and to provide for related matters. 9 Notice of intention to introduce this Act has been published 10 as provided by Article X, Section 29(C) of the Constitution 11 of Louisiana. 12 Be it enacted by the Legislature of Louisiana: 13 Section 1. R.S. 11:181(A)(introductory paragraph), (B)(introductory paragraph), and 14 (E), 511(1), 822(A)(5), 1162(A)(2), 1302(A)(6) and (7), 1471(A) and (C), 1541, 1651(B)(1), 15 1821(B)(5), 1981(B), 2091(B)(1), 2173(A)(introductory paragraph), 2225(A)(2)(a), and 16 2260(A)(2)(d) are hereby amended and reenacted and R.S. 11: 2173(A)(7) and (8) are hereby enacted to read as follows: 17 18 §181. Composition of governing boards of state and statewide systems; per diem 19 and expenses 20 A. Notwithstanding any other provision of law contained in any of the laws governing the state retirement systems listed in this Subsection, or any other laws to 21

Page 1 of 10

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1 | the contrary, a member of the House Committee on Retirement appointed by the |
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| 2 | chairman speaker of the House Committee on Retirement of Representatives and the |
| 3 | chairman of the Senate Committee on Retirement, ex officio, or their designees, shall |
| 4 | serve as voting ex officio members of the governing boards of each of the following |
| 5 | state retirement systems: |
| 6 | * * * |
| 7 | B. Notwithstanding any other provision of law contained in any of the laws |
| 8 | governing the statewide retirement systems or funds listed in this Subsection, or any |
| 9 | other laws to the contrary, a member of the House Committee on Retirement |
| 10 | appointed by the chairman speaker of the House Committee on Retirement of |
| 11 | Representatives and the chairman of the Senate Committee on Retirement, ex officio, |
| 12 | or their designees, shall serve as voting ex officio members of the governing boards |
| 13 | of each of the following statewide retirement systems or funds: |
| 14 | * * * |
| 15 | E. The member of the House Committee on Retirement appointed by the |
| 16 | chairmen speaker of the House and of Representatives and the chairman of the |
| 17 | Senate committees on retirement Committee on Retirement, or their designees if |
| 18 | members of the legislature, shall receive for attendance at meetings of the governing |
| 19 | boards of the above enumerated retirement systems the same per diem and expenses |
| 20 | as they receive for attendance at legislative committee meetings, and from the same |
| 21 | sources. |
| 22 | * * * |
| 23 | §511. Composition of board of trustees |
| 24 | The board of trustees shall consist of the following members: |
| 25 | (1) The chairman of the Retirement Committee A member of the House |
| 26 | Committee on Retirement appointed by the speaker of the House of Representatives, |
| 27 | ex officio, or his or the member's designee. |
| 28 | * * * |

| 1 | §822. Members of board of trustees; appointment or election; terms of office; |
|----|---|
| 2 | vacancies; compensation |
| 3 | A. The board shall consist of such trustees as follows: |
| 4 | * * * |
| 5 | (5) The chairman of the Retirement Committee A member of the House |
| 6 | Committee on Retirement appointed by the speaker of the House of Representatives |
| 7 | of the Louisiana Legislature, ex officio, or his or the member's designee. |
| 8 | * * * |
| 9 | §1162. Members of board of trustees; appointment or election; terms of office; |
| 10 | vacancies; compensation |
| 1 | A. The board shall consist of the following trustees: |
| 12 | * * * |
| 13 | (2) Chairman of the Retirement Committee A member of the House |
| 14 | Committee on Retirement appointed by the speaker of the House of Representatives, |
| 15 | ex officio, or his or the member's designee. |
| 16 | * * * |
| 17 | §1302. Creation and composition of board; powers; expenses of administration |
| 18 | A. The Louisiana State Police Retirement System Board is created and is |
| 19 | composed of the following members: |
| 20 | * * * |
| 21 | (6) The chairman of the Retirement Committee A member of the House |
| 22 | Committee on Retirement appointed by the speaker of the House of Representatives |
| 23 | of the Louisiana Legislature or the member's designee. |
| 24 | (7) The chairman of the Retirement Committee of the Senate of the |
| 25 | Louisiana Legislature Senate Committee on Retirement or his designee. |
| 26 | * * * |
| 27 | §1471. Membership and organization of board; election of members; vacancies |
| 28 | A. The board of trustees shall be composed of seventeen members as |
| 29 | follows: |

| 1 | (1) The the president, vice president, and treasurer of the Louisiana |
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| 2 | Assessors' Association. |
| 3 | (2) Twelve and twelve other members who shall be elected for terms of two |
| 4 | years, as provided in this Subsection Paragraph, and who may be reelected: |
| 5 | (1) (a) Eight regular member representatives, one elected from each of the |
| 6 | eight election districts established by the Louisiana Assessors' Association. |
| 7 | Elections for regular member representatives on the board shall be held in even- |
| 8 | numbered years for even-numbered districts and in odd-numbered years for odd- |
| 9 | numbered districts, in conformity with the bylaws of the association. |
| 10 | (2) (b) Two retiree representatives, nominated by the board and elected by |
| 11 | the retirees of the fund. |
| 12 | (3) (c) Two assessor employee representatives who are members of the fund, |
| 13 | nominated by the board, and elected by the assessor employees who are members of |
| 14 | the fund. |
| 15 | (4) The initial election for each of the twelve board members in Paragraphs |
| 16 | (1), (2), and (3) of this Subsection shall be held in 2003. The members elected from |
| 17 | even-numbered districts in 2003 shall serve three-year terms. Thereafter, elections |
| 18 | shall be held as provided in this Subsection. |
| 19 | (3) A member of the House Committee on Retirement appointed by the |
| 20 | speaker of the House of Representatives, or the member's designee. |
| 21 | (4) The chairman of the Senate Committee on Retirement, or his designee. |
| 22 | * * * |
| 23 | C. In the event of a vacancy on the board, the vacancy shall be filled within |
| 24 | sixty days after the vacancy occurs. Any vacancy in the officer positions shall be |
| 25 | filled as provided for in the association bylaws. Any vacancy in one of the twelve |
| 26 | other board positions shall be filled in the manner provided for in Subsection A of |
| 27 | this Section. |
| 28 | * * * |

| 1 | §1541. Board of trustees; membership; officers; vacancies |
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| 2 | <u>A.</u> The board of trustees shall be composed of eleven members <u>as follows:</u> |
| 3 | all of whom, except the designated ex officio members, must have credit in the |
| 4 | system for at least five years of service. |
| 5 | (1) The president of the Louisiana Clerks of Court Association who shall be |
| 6 | the president of the board;. |
| 7 | (2) the The first vice president of such association the Louisiana Clerks of |
| 8 | Court Association who shall be vice president of the board, and. |
| 9 | (3) the The treasurer of such association the Louisiana Clerks of Court |
| 10 | Association who shall be treasurer of the board;. |
| 11 | (4) the The second vice president of such association shall be a member of |
| 12 | the board; the Louisiana Clerks of Court Association. |
| 13 | (5) the The immediate past president of the Louisiana Clerks of Court |
| 14 | Association shall be a member of the board; |
| 15 | (6) a A retired clerk of court who is receiving regular or disability retirement |
| 16 | benefits shall be elected to the board to serve a term of two years by such |
| 17 | association; the Louisiana Clerks of Court Association. |
| 18 | (7) three Three of the directors of such association the Louisiana Clerks of |
| 19 | Court Association shall be elected to the board by the association to serve a term of |
| 20 | five years. |
| 21 | (8) The chairman of the House Committee on Retirement and A member of |
| 22 | the House Committee on Retirement appointed by the speaker of the House of |
| 23 | Representatives, or his designee. |
| 24 | (9) the The chairman of the Senate Committee on Retirement or their |
| 25 | authorized designees his designee. shall serve as ex officio voting members of the |
| 26 | board of trustees. |
| 27 | B. Except for the designated ex officio members, the members of the board |
| 28 | of trustees shall have credit in the system for at least five years of service. |

| 1 | C. Any vacancy on the board shall be filled by an election by the board of |
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| 2 | directors of the Louisiana Clerks of Court Association within sixty days of the |
| 3 | creation of the vacancy. |
| 4 | * * * |
| 5 | §1651. Board of trustees; membership; vacancies; compensation |
| 6 | * * * |
| 7 | B. The board shall consist of nine trustees as follows: |
| 8 | (1)(a) The chairman of the Retirement Committee A member of the House |
| 9 | Committee on Retirement appointed by the speaker of the House of Representatives, |
| 10 | or the member's designee. and the chairman of the Retirement Committee of the |
| 11 | Senate of the Louisiana Legislature, or their designees, shall serve as voting ex |
| 12 | officio members. |
| 13 | (b) The chairman of the Senate Committee on Retirement, or his designee. |
| 14 | * * * |
| 15 | §1821. Board of trustees; membership; term of office; oath of office; compensation; |
| 16 | voting power; vacancies |
| 17 | * * * |
| 18 | B. The board shall be composed of eleven trustees as follows: |
| 19 | * * * |
| 20 | (5) The chairman A member of the House Committee on Retirement |
| 21 | appointed by the speaker of the House Committee on Retirement, who shall serve as |
| 22 | a voting ex officio member, or his member, or the member's designee. |
| 23 | * * * |
| 24 | §1981. Board of trustees; membership; term of office; oath of office; compensation; |
| 25 | voting power; vacancies |
| 26 | * * * |
| 27 | B. The board shall consist of seven trustees, be composed of the following |
| 28 | seven members: |

| 1 | (1) four Four active or retired members of the system who shall have at least |
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| 2 | ten years of creditable service and at least three of whom shall be active and |
| 3 | contributing members of the Parochial Employees' Retirement System, elected by |
| 4 | the members of this system in accordance with the election rules prescribed by the |
| 5 | board <u>;</u> |
| 6 | (2) one of whom shall be One member appointed by the executive board of |
| 7 | the Police Jury Association of Louisiana from its membership, and who shall be an |
| 8 | elected official;. |
| 9 | (3) one of whom shall be the The chairman of the Senate Retirement |
| 10 | Committee on Retirement, or his designee, who shall serve as a voting ex officio |
| 11 | member; and. |
| 12 | (4) one of whom shall be A member of the House Committee on Retirement |
| 13 | appointed by the chairman speaker of the House Retirement Committee of |
| 14 | Representatives, or his the member's designee, who shall serve as a voting ex officio |
| 15 | member. |
| 16 | * * * |
| 17 | §2091. Board of trustees; membership; vacancies; compensation |
| 18 | * * * |
| 19 | B. The board shall consist of eight trustees as follows: |
| 20 | (1) The chairman A member of the House Committee on Retirement |
| 21 | appointed by the speaker of the House Committee on Retirement of Representatives, |
| 22 | ex officio, or his or the member's designee. |
| 23 | * * * |
| 24 | §2173. Board of trustees; executive counsel; educational requirements |
| 25 | A. The board of trustees shall consist of fourteen sixteen voting members as |
| 26 | follows: |
| 27 | * * * |
| 28 | (7) A member of the House Committee on Retirement appointed by the |
| 29 | speaker of the House of Representatives, or the member's designee. |

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| 1 | (8) The chairman of th | e Ser | nate Co | ommittee on Retirement, ex officio, o | or his |
|---|------------------------|-------|---------|---------------------------------------|--------|
| 2 | designee. | | | | |
| 3 | * | : | * | * | |
| 4 | §2225. Administration | | | | |
| 5 | A. Board of trustees: | | | | |
| 6 | * | : | * | * | |

(2)(a) The board shall consist of fifteen trustees as follows: Seven members, three of whom shall not be chiefs of police but shall be active contributing members of the system with ten or more years of creditable service, and four of whom shall be active contributing chiefs of police, with four or more years of creditable service provided that no municipal police department shall have more than one member and one chief of police on the board at the same time; two regular retirees of the system, one retired from Chiefs District I and one retired from Chiefs District II as those districts are comprised in Subparagraphs (b) and (c) of this Paragraph; four three ex officio trustees to include the chairman of the House of Representatives Committee on Retirement or his designee, the chairman of the Senate Committee on Retirement or his designee, the commissioner of administration or his designee, and the state treasurer or his designee; a member of the House Committee on Retirement appointed by the speaker of the House of Representatives or the member's designee; and two mayors appointed by the Louisiana Municipal Association from municipalities having police departments participating in the system, to serve at the pleasure of the Louisiana Municipal Association. The retired trustees shall be elected by the retired members of the system for a term of five years with the first retired trustees' terms to commence on July 1, 1997. Whenever the term of a board member expires, the term of the newly elected board member shall be for a term of five years. The director of the retirement system shall be selected by the board of trustees. Election of members shall be under such rules and regulations as the board of trustees shall establish.

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| | §2260. Administration | | |
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| | A. Board of trustees: | | |
| | * * * | | |
| | (2) The board shall consist of ten trustees as follows: | | |
| | * * * | | |
| | (d) The chairman (i) A member of the House Committee on Retirement | | |
| | appointed by the speaker of the House of Representatives Committee on Retirement | | |
| | and, or the member's designee. | | |
| | (ii) the The chairman of the Senate Committee on Retirement, or their | | |
| | designees his designee. | | |
| | * * * | | |
| | Section 2. This Act shall become effective upon signature by the governor or, if not | | |
| signe | signed by the governor, upon expiration of the time for bills to become law without signature | | |
| by th | by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If | | |
| vetoe | ed by the governor and subsequently approved by the legislature, this Act shall become | | |
| effec | tive on the day following such approval. | | |
| | DIGEST | | |
| of the | digest printed below was prepared by House Legislative Services. It constitutes no part e legislative instrument. The keyword, one-liner, abstract, and digest do not constitute of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)] | | |
| HB 1 | 4 Reengrossed 2016 Regular Session Pearson | | |
| Abst | cract: Replaces the chairman of the House Committee on Retirement with a member of the House Committee on Retirement appointed by the speaker of the House of Representatives as trustee on each state and statewide retirement system, plan, and fund. | | |
| Prese fund | ent law establishes the following state and statewide retirement systems, plans, and s: | | |
| (1) | La. State Employees' Retirement System | | |
| (2) | Teachers' Retirement System of La. | | |
| (3) | La. School Employees' Retirement System | | |
| (4) | State Police Retirement System | | |
| (5) | La. Assessors' Retirement Fund | | |

Page 9 of 10

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- (6) Clerks of Court Retirement and Relief Fund
- (7) District Attorneys' Retirement System
- (8) Firefighters' Retirement System
- (9) Municipal Employees' Retirement System
- (10) Municipal Police Employees' Retirement System
- (11) Parochial Employees' Retirement System
- (12) Registrars of Voters Employees' Retirement System
- (13) Sheriffs' Pension and Relief Fund

<u>Present law</u> further provides that the chairman of the House Committee on Retirement serve as ex officio trustee on each such board. <u>Proposed law</u> removes the chairman of the House Committee on Retirement as ex officio trustee of each board and instead places a member of the House Committee on Retirement appointed by the speaker of the House of Representatives as a trustee on each such board.

<u>Present law</u> for every system except the State Police Retirement System authorizes the legislative ex officio trustees to appoint designees. <u>Proposed law</u> authorizes the legislative trustees to also appoint designees to serve on the State Police Retirement System board.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:181(A)(intro. para.), (B)(intro. para.), and (E), 511(1), 822(A)(5), 1162(A)(2), 1302(A)(6) and (7), 1471(A) and (C), 1541, 1651(B)(1), 1821(B)(5), 1981(B), 2091(B)(1), 2173(A)(intro. para.), 2225(A)(2)(a), and 2260(A)(2)(d); Adds R.S. 11:2173(A)(7) and (8))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Retirement</u> to the original bill:

- 1. Preserve <u>present law</u> providing that the chairman of the Senate Committee on Retirement serves as an ex officio trustee of the state and statewide retirement systems rather than the president of the Senate, as was proposed.
- 2. Provide that a member of the House Committee on Retirement appointed by the speaker of the house serves as a trustee of the state and statewide retirement systems, as opposed to the speaker of the house.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.