

2016 Regular Session

HOUSE BILL NO. 14

BY REPRESENTATIVE PEARSON

RETIREMENT/BDS - COMMISSIONS: Replaces the chairmen of the House and Senate committees on retirement with the speaker of the House of Representatives and the president of the Senate as trustees 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), 1541, 1651(B)(1),
4 1821(B)(5), 1981(B), 2091(B)(1), 2225(A)(2)(a), and 2260(A)(2)(d), relative to
5 boards of trustees of the state and statewide retirement systems, plans, and funds; to
6 authorize certain officers of the legislature to be trustees on such boards; to authorize
7 appointment of designees; and to provide for related matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article X, Section 29(C) of the Constitution
10 of Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 11:181(A)(introductory paragraph), (B)(introductory paragraph), and
13 (E), 511(1), 822(A)(5), 1162(A)(2), 1302(A)(6) and (7), 1541, 1651(B)(1), 1821(B)(5),
14 1981(B), 2091(B)(1), 2225(A)(2)(a), and 2260(A)(2)(d) are hereby amended and reenacted
15 to read as follows:

16 §181. Composition of governing boards of state and statewide systems; per diem
17 and expenses

18 A. Notwithstanding any other provision of law contained in any of the laws
19 governing the state retirement systems listed in this Subsection, or any other laws to

1 the contrary, a member of the House Committee on Retirement appointed by the
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

11 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 or his designee.

26 * * *

27 §1541. Board of trustees; membership; officers; vacancies

28 The board of trustees shall be composed of eleven members all of whom,
29 except the designated ex officio members, must have credit in the system for at least

1 five years of service. The president of the Louisiana Clerks of Court Association
 2 shall be the president of the board, the first vice president of such association shall
 3 be vice president of the board, and the treasurer of such association shall be treasurer
 4 of the board; the second vice president of such association shall be a member of the
 5 board; the immediate past president of the Louisiana Clerks of Court Association
 6 shall be a member of the board; a retired clerk of court who is receiving regular or
 7 disability retirement benefits shall be elected to the board to serve a term of two
 8 years by such association; three of the directors of such association shall be elected
 9 to the board by the association to serve a term of five years. ~~The chairman~~ A
 10 member of the House Committee on Retirement appointed by the speaker of the
 11 House ~~Committee on Retirement of Representatives~~ and the chairman of the Senate
 12 Committee on Retirement, ex officio, or their authorized designees shall serve as ~~ex~~
 13 ~~officio~~ voting members of the board of trustees. Any vacancy on the board shall be
 14 filled by an election by the board of directors of the Louisiana Clerks of Court
 15 Association within sixty days of the creation of the vacancy.

* * *

17 §1651. Board of trustees; membership; vacancies; compensation

* * *

19 B. The board shall consist of nine trustees as follows:

20 (1) ~~The chairman of the Retirement Committee~~ A member of the House
 21 Committee on Retirement appointed by the speaker of the House of Representatives,
 22 or the member's designee, and the chairman of the Retirement Committee of the
 23 Senate ~~of the Louisiana Legislature~~ of the Legislature of Louisiana, ex officio, or
 24 ~~their designees~~ his designee, shall serve as voting ~~ex officio~~ members.

* * *

26 §1821. Board of trustees; membership; term of office; oath of office; compensation;
 27 voting power; vacancies

* * *

1 B. The board shall be composed of eleven trustees as follows:

2 * * *

3 (5) ~~The chairman~~ A member of the House Committee on Retirement
4 appointed by the speaker of the House ~~Committee on Retirement~~, who shall serve as
5 a voting ~~ex officio member, or his~~ member, or the member's designee.

6 * * *

7 §1981. Board of trustees; membership; term of office; oath of office; compensation;
8 voting power; vacancies

9 * * *

10 B. The board shall consist of seven trustees, four active or retired members
11 of the system who shall have at least ten years of creditable service and at least three
12 of whom shall be active and contributing members of the Parochial Employees'
13 Retirement System, elected by the members of this system in accordance with the
14 election rules prescribed by the board; one of whom shall be appointed by the
15 executive board of the Police Jury Association of Louisiana from its membership and
16 who shall be an elected official; one of whom shall be the chairman of the Senate
17 Retirement Committee, or his designee, who shall serve as a voting ex officio
18 member; and one of whom shall be a member of the House Committee on
19 Retirement appointed by the ~~chairman~~ speaker of the House ~~Retirement Committee~~
20 of Representatives, or ~~his~~ the member's designee, who shall serve as a voting ~~ex~~
21 ~~officio~~ member.

22 * * *

23 §2091. Board of trustees; membership; vacancies; compensation

24 * * *

25 B. The board shall consist of eight trustees as follows:

26 (1) ~~The chairman~~ A member of the House Committee on Retirement
27 appointed by the speaker of the House ~~Committee on Retirement~~ of Representatives,
28 ~~ex officio, or his~~ or the member's designee.

29 * * *

1 §2225. Administration

2 A. Board of trustees:

3 * * *

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

26 * * *

27 §2260. Administration

28 A. Board of trustees:

29 * * *

1 (2) The board shall consist of ten trustees as follows:

2 * * *

3 (d) ~~The chairman~~ A member of the House Committee on Retirement
4 appointed by the speaker of the House of Representatives ~~Committee on Retirement~~
5 and the chairman of the Senate Committee on Retirement, or their designees.

6 * * *

7 Section 2. This Act shall become effective upon signature by the governor or, if not
8 signed by the governor, upon expiration of the time for bills to become law without signature
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
11 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 14 Engrossed

2016 Regular Session

Pearson

Abstract: 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.

Present law establishes the following state and statewide retirement systems, plans, and funds:

- (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
- (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

Present law further provides that the chairman of the House Committee on Retirement serve as ex officio trustee on each such board. Proposed law 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.

Present law for every system except the State Police Retirement System authorizes the legislative ex officio trustees to appoint designees. Proposed law 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), 1541, 1651(B)(1), 1821(B)(5), 1981(B), 2091(B)(1), 2225(A)(2)(a), and 2260(A)(2)(d))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Retirement to the original bill:

1. Preserve present law 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.