

2017 Regular Session

HOUSE BILL NO. 33

BY REPRESENTATIVE PEARSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RETIREMENT/BDS - COMMISSIONS: Provides relative to representation of the House of Representatives on the boards of trustees of state and statewide retirement systems

1 AN ACT
2 To amend and reenact R.S. 11:181(A)(introductory paragraph), (B)(introductory paragraph),
3 and (E), 186(A) and (C), 511(1), 822(A)(5), 1162(A)(2), 1302(A)(6), 1471(A)(3),
4 1541(A)(8), 1651(B)(1)(a), 1821(B)(5), 1981(B)(4), 2091(B)(1), 2173(A)(7),
5 2225(A)(2)(a), and 2260(A)(2)(d)(i), relative to the boards of trustees of the state and
6 statewide retirement systems; to provide for the chairman of the House Committee
7 on Retirement to serve as trustee of the state and statewide retirement systems; to
8 provide relative to legislative staff's attendance at executive sessions of the boards
9 of trustees of the state and statewide retirement systems; and to provide for related
10 matters.

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

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 11:186(A) and (C) are hereby amended and reenacted to read as
16 follows:

1 §186. Authorization for staff to attend executive sessions

2 A. ~~As ex officio members of each of the state and statewide retirement~~
3 ~~system boards, the~~ The chairman of the House Committee on Retirement and the
4 chairman of the Senate Committee on Retirement may each independently authorize
5 legislative staff to attend any executive session of any board meeting or committee
6 meeting of any state or statewide retirement system board or committee.

7 * * *

8 C. Legislative staff authorized to attend executive session pursuant to this
9 Section ~~Any information or communication which, pursuant to the provisions of this~~
10 ~~Section, is provided to or presented in the presence of authorized staff shall be~~
11 ~~subject to~~ have the same rights, duties, and privileges, including the lawyer-client
12 privilege, which apply to the ~~chairmen~~ as members of the board, ~~including the~~
13 ~~attorney-client privilege. as they relate to any information or communication that is~~
14 provided to or presented in the presence of such legislative staff in executive session.

15 * * *

16 Section 2. R.S. 11:181(A)(introductory paragraph), (B)(introductory paragraph), and
17 (E), 511(1), 822(A)(5), 1162(A)(2), 1302(A)(6), 1471(A)(3), 1541(A)(8), 1651(B)(1)(a),
18 1821(B)(5), 1981(B)(4), 2091(B)(1), 2173(A)(7), 2225(A)(2)(a), and 2260(A)(2)(d)(i) are
19 hereby amended and reenacted to read as follows:

20 §181. Composition of governing boards of state and statewide systems; per diem
21 and expenses

22 A. Notwithstanding any other provision of law contained in any of the laws
23 governing the state retirement systems listed in this Subsection, or any other laws to
24 the contrary, ~~a member~~ the chairman of the House Committee on Retirement
25 ~~appointed by the speaker of the House of Representatives, ex officio,~~ and the
26 chairman of the Senate Committee on Retirement, ex officio, or their designees, shall
27 serve as voting members of the governing boards of each of the following state
28 retirement systems:

29 * * *

1 §1162. Members of board of trustees; appointment or election; terms of office;
2 vacancies; compensation

3 A. The board shall consist of the following trustees:

4 * * *

5 (2) ~~A member~~ The chairman of the House Committee on Retirement
6 ~~appointed by the speaker of the House of Representatives, or the member's, ex~~
7 officio, or his designee.

8 * * *

9 §1302. Creation and composition of board; powers; expenses of administration

10 A. The Louisiana State Police Retirement System Board is created and is
11 composed of the following members:

12 * * *

13 (6) ~~A member~~ The chairman of the House Committee on Retirement
14 ~~appointed by the speaker of the House of Representatives or the member's or his~~
15 designee.

16 * * *

17 §1471. Membership and organization of board; election of members; vacancies

18 A. The board of trustees shall be composed of seventeen members as
19 follows:

20 * * *

21 (3) ~~A member~~ The chairman of the House Committee on Retirement
22 ~~appointed by the speaker of the House of Representatives, or the member's, or his~~
23 designee.

24 * * *

25 §1541. Board of trustees; membership; officers; vacancies

26 A. The board of trustees shall be composed of eleven members as follows:

27 * * *

1 (8) ~~A member~~ The chairman of the House Committee on Retirement
2 appointed by the speaker of the House of Representatives, or his designee.

3 * * *

4 §1651. Board of trustees; membership; vacancies; compensation

5 * * *

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

7 (1)(a) ~~A member~~ The chairman of the House Committee on Retirement
8 appointed by the speaker of the House of Representatives, or the member's, or his
9 designee.

10 * * *

11 §1821. Board of trustees; membership; term of office; oath of office; compensation;
12 voting power; vacancies

13 * * *

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

15 * * *

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

19 * * *

20 §1981. Board of trustees; membership; term of office; oath of office; compensation;
21 voting power; vacancies

22 * * *

23 B. The board shall be composed of the following seven members:

24 * * *

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

28 * * *

1 §2091. Board of trustees; membership; vacancies; compensation

2 * * *

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

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

7 * * *

8 §2173. Board of trustees; executive counsel; educational requirements

9 A. The board of trustees shall consist of sixteen voting members as follows:

10 * * *

11 (7) ~~A member~~ The chairman of the House Committee on Retirement
12 ~~appointed by the speaker of the House of Representatives, or the member's, ex~~
13 officio, or his designee.

14 * * *

15 §2225. Administration

16 A. Board of trustees:

17 * * *

18 (2)(a) The board shall consist of fifteen trustees as follows: Seven members,
19 three of whom shall not be chiefs of police but shall be active contributing members
20 of the system with ten or more years of creditable service, and four of whom shall
21 be active contributing chiefs of police, with four or more years of creditable service
22 provided that no municipal police department shall have more than one member and
23 one chief of police on the board at the same time; two regular retirees of the system,
24 one retired from Chiefs District I and one retired from Chiefs District II as those
25 districts are comprised in Subparagraphs (b) and (c) of this Paragraph; ~~three~~ four ex
26 officio trustees to include the chairman of the House Committee on Retirement or
27 his designee, the chairman of the Senate Committee on Retirement or his designee,
28 the commissioner of administration or his designee, and the state treasurer or his
29 designee; ~~a member of the House Committee on Retirement appointed by the speaker~~

1 ~~of the House of Representatives or the member's designee~~; and two mayors
 2 appointed by the Louisiana Municipal Association from municipalities having police
 3 departments participating in the system, to serve at the pleasure of the Louisiana
 4 Municipal Association. The retired trustees shall be elected by the retired members
 5 of the system for a term of five years with the first retired trustees' terms to
 6 commence on July 1, 1997. Whenever the term of a board member expires, the term
 7 of the newly elected board member shall be for a term of five years. The director of
 8 the retirement system shall be selected by the board of trustees. Election of members
 9 shall be under such rules and regulations as the board of trustees shall establish.

10 * * *

11 §2260. Administration

12 A. Board of trustees:

13 * * *

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

15 * * *

16 (d)(i) ~~A member~~ The chairman of the House Committee on Retirement
 17 ~~appointed by the speaker, or the member's, or his~~ designee.

18 * * *

19 Section 3. (A) The provisions of Section 1 and this Section of this Act shall become
 20 effective on August 1, 2017.

21 (B) The provisions of Section 2 of this Act shall become effective upon adjournment
 22 sine die of the 2020 Regular Session of the Louisiana Legislature.

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 33 Original

2017 Regular Session

Pearson

Abstract: Changes House Committee on Retirement membership on the state and statewide retirement systems from a committee member appointed by the speaker to the chairman of the committee - effective on adjournment sine die of the 2020 R.S.

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

- (1) La. State Employees' Retirement System
- (2) Teachers' Retirement System of La.
- (3) La. School Employees' Retirement System
- (4) La. State Police Retirement System
- (5) 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 of La.
- (10) Municipal Police Employees' Retirement System
- (11) Parochial Employees' Retirement System of La.
- (12) Registrars of Voters Employees' Retirement System
- (13) Sheriffs' Pension and Relief Fund

Present law further provides that a member of the House Committee on Retirement appointed by the Speaker of the House of Representatives serves as trustee on the board of trustees of each of the state and statewide retirement systems and funds. Proposed law removes the member of the House Committee on Retirement appointed by the Speaker as trustee of each board and instead places the chairman of the House Committee on Retirement as an ex officio member of each such board.

Present law provides that the chairmen of the House Committee on Retirement and the Senate Committee on Retirement, as ex officio members of the state and statewide retirement system boards, may authorize legislative staff to attend executive sessions of any board or committee meeting of the state or statewide retirement systems. Proposed law removes language specifying that this authority of the chairmen is exercised in their capacity as ex officio members of the state and statewide retirement system boards.

Proposed law relative to changes in membership on the retirement system boards effective on adjournment sine die of the 2020 R.S.

(Amends R.S. 11:181(A)(intro. para.), (B)(intro. para.), and (E), 186(A) and (C), 511(1), 822(A)(5), 1162(A)(2), 1302(A)(6), 1471(A)(3), 1541(A)(8), 1651(B)(1)(a), 1821(B)(5), 1981(B)(4), 2091(B)(1), 2173(A)(7), 2225(A)(2)(a), and 2260(A)(2)(d)(i))