

2017 Regular Session

HOUSE BILL NO. 32

BY REPRESENTATIVE PEARSON

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

RETIREMENT/MUNICIPAL EMP: Provides relative to the board of trustees of the Municipal Employees' Retirement System of La.

1 AN ACT

2 To amend and reenact R.S. 11:1821(B), (C), and (G), relative to the board of trustees of the
3 Municipal Employees' Retirement System of Louisiana; to provide for a trustee who
4 is a retired member; to provide for a term; to provide for elections; to provide for
5 implementation; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:1821(B), (C), and (G) are hereby amended and reenacted to read
11 as follows:

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

14 * * *

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

16 (1) Three ~~active and contributing~~ members of the system each of whom is
17 an elected official elected to office in accordance with the Louisiana Election Code
18 and has at least six years of creditable service.

1 (2) ~~Three active and contributing~~ Two members of the system who are not
2 elected officials elected to office in accordance with the Louisiana Election Code,
3 each of whom has at least six years of creditable service.

4 (3) One retired member of the system.

5 (4) The president of the Louisiana Municipal Association, who shall serve
6 as an ex officio member during his tenure, or his designee.

7 ~~(4)~~ (5) The chairman of the Senate Committee on Retirement, who shall
8 serve as an ex officio member, or his designee.

9 ~~(5)~~ (6) A member of the House Committee on Retirement appointed by the
10 speaker of the House, who shall serve as a voting member, or the member's designee.

11 ~~(6)~~ (7) The commissioner of administration, who shall serve as an ex officio
12 member, or his designee.

13 ~~(7)~~ (8) The state treasurer, who shall serve as an ex officio member, or his
14 designee.

15 C. ~~Except as otherwise provided in this Subsection, the~~ The term of office
16 for each of the ~~six trustees who are active contributing members of the system~~
17 trustees provided for in Paragraphs (B)(1) through (3) of this Section shall be ~~for a~~
18 period of six years. No person who has been elected to serve as ~~an active and~~
19 ~~contributing member~~ a trustee for more than one and one-half terms shall be elected
20 to the board for another term.

21 * * *

22 G.(1) ~~No participating employer shall have more than two elected trustees~~
23 ~~servng~~ No more than two elected trustees employed by the same participating
24 employer may serve on the board at the same time.

25 (2)(a) The members of the system shall elect ~~each trustee~~ the trustees
26 provided for in Paragraphs (B)(1) and (2) of this Section in accordance with the
27 election rules prescribed by the board.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 **(b) The retired membership of the system shall elect the trustee provided for**
2 **in Paragraph (B)(3) of this Section in accordance with the election rules prescribed**
3 **by the board.**

4 (3) A trustee elected pursuant to ~~Paragraph (B)(1) or (2) of this Section~~
5 **Subparagraph (2)(a) of this Subsection** may continue to serve his full term if he
6 remains a member of the system regardless of change in employment which qualified
7 him for such position.

8 (4) A vacancy on the board in a position held by an elected trustee shall be
9 filled for the unexpired term by election ~~by the members of the system,~~ **as provided**
10 **in Paragraph (2) of this Subsection,** except that if the unexpired term is less than two
11 years, the board may fill the vacancy by appointment; for the unexpired portion of
12 the term. If a trustee ~~provided for in Paragraph (B)(1) or (2) of this Section~~ retires,
13 he may continue to serve for the remainder of the term for which he was elected;
14 however, if he ceases to be a member, his term shall expire.

15 * * *

16 Section 2. Notwithstanding Section 2 of Act No. 225 of the 2014 Regular Session
17 of the Legislature, the board position provided for in R.S. 11:1821(B)(3) as amended by this
18 Act shall be filled in 2017 for an initial term of four years.

19 Section 3. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 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 32 Engrossed 2017 Regular Session Pearson

Abstract: Replaces a non-elected active and contributing member trustee with a retiree trustee elected by the retired membership on the board of trustees of the Municipal Employees' Retirement System (MERS).

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Present law provides that the MERS board of trustees is composed of 11 trustees:

- (1) Three active and contributing members of the system who are elected officials.
- (2) Three active and contributing members of the system who are not elected officials.
- (3) The president of the La. Municipal Assoc.
- (4) The chairman of the Senate Committee on Retirement.
- (5) A member of the House Committee on Retirement appointed by the speaker of the House.
- (6) The commissioner of administration.
- (7) The state treasurer.

Proposed law reduces the number of trustees who are not elected officials from three to two and adds a retired member of the system. Proposed law provides that the retired membership of the system shall elect the trustee who is a retired member of the system.

Present law sets six year, staggered terms for trustees who are members of the system. Proposed law retains present law and makes it applicable to the retiree trustee.

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

(Amends R.S. 11:1821(B), (C), and (G))