

Regular Session, 2014

SENATE BILL NO. 19

BY SENATOR GUILLORY AND REPRESENTATIVE ROBIDEAUX AND SENATORS
ADLEY, ALARIO, ALLAIN, APPEL, BROOME, BROWN,
BUFFINGTON, CHABERT, CORTEZ, CROWE, DONAHUE,
DORSEY-COLOMB, ERDEY, HEITMEIER, JOHNS, KOSTELKA,
LAFLEUR, LONG, MARTINY, MILLS, MURRAY, NEVERS,
PEACOCK, PERRY, RISER, GARY SMITH, JOHN SMITH, TARVER,
THOMPSON, WALSWORTH, WARD AND WHITE AND
REPRESENTATIVES HENRY BURNS, BURRELL, GUILLORY,
HAZEL, HILL, PRICE AND RICHARD

SCHOOL EMPLOYEES RET. Grants a permanent benefit increase to eligible retirees in
accordance with statutory procedure. (2/3 - CA10s29(F)) (6/30/14)

1 AN ACT
2 To grant a permanent benefit increase to retirees and beneficiaries of the Louisiana School
3 Employees' Retirement System in conformity with the statutory provisions governing
4 the system's experience account.

5 Notice of intention to introduce this Act has been published.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. The legislature finds that the experience account of the Louisiana School
8 Employees' Retirement System was created for the purpose of accumulating money
9 sufficient to provide actuarial funding of permanent post-retirement benefit increases for
10 certain retirees and beneficiaries of the system. The legislature further finds that the
11 experience account is credited with a portion of the system's investment gain in excess of
12 certain thresholds and with interest on funds in the account; provided, however, that the
13 amount in the experience account shall in no event exceed the reserve necessary to grant two
14 permanent benefit increases.

15 Section 2. The legislature finds that permanent benefit increases funded by the
16 experience account monies are payable to regular retirees who have been retired for at least
17 one year and who have attained the age of sixty years; to disability retirees who have been

1 retired at least one year regardless of age; to beneficiaries of retirees who would have met
2 the applicable criteria to receive the increase if they had survived; and to non-retiree
3 beneficiaries who have been receiving benefits for at least a year and whose benefits are
4 derived from service of deceased members who would have attained age sixty. The
5 legislature further finds that any increase payable in 2014 shall be calculated on the first
6 ninety-four thousand three hundred thirteen dollars of a retirement benefit only.

7 Section 3. The legislature finds that, in accordance with the provisions of R.S.
8 11:1145.1, the board of trustees of the Louisiana School Employees' Retirement System has
9 recommended to the president of the Senate and the speaker of the House of Representatives
10 that the legislature grant a permanent benefit increase to the eligible retirees and
11 beneficiaries of the system in accordance with the provisions of R.S. 11:1145.1 and Article
12 X, Section 29(F) of the Constitution of Louisiana.

13 Section 4. The legislature finds that the recommendation presented to the presiding
14 officers of this body contained a recitation of the statutorily-required conditions and
15 specification of the satisfaction of each as follows:

16 (A) The Louisiana School Employees' Retirement System earned an actuarial rate
17 of return of twelve and four one-hundredths percent which exceeded the board-approved
18 actuarial valuation rate of seven and one-half percent on June 30, 2013.

19 (B) For any year in which the system's rate of return is at least seven and one-half
20 percent, R.S. 11:1145.1(C) provides that a permanent benefit increase shall not exceed the
21 lesser of three percent or the increase in the consumer price index, U.S. city average for all
22 urban consumers, as prepared by the U.S. Department of Labor, Bureau of Labor Statistics,
23 for the calendar year immediately preceding the increase.

24 (C) The system actuary has determined that the actuarial liability created by
25 providing a permanent benefit increase of one percent is approximately ten million six
26 hundred forty thousand dollars. The system actuary computed the balance in the experience
27 account to be over thirty-one million dollars, an amount sufficient to fund a benefit increase
28 up to two and nine-tenths percent on an actuarial basis.

29 Section 5. The legislative auditor has confirmed that the legislative auditor's actuary

1 is in the process of determining whether he agrees with the determinations of the system
2 actuary.

3 Section 6. The consumer price index, U.S. city average for all urban consumers, as
4 prepared by the U.S. Department of Labor, Bureau of Labor Statistics, for the 2013 calendar
5 year, released January 16, 2014, was determined to be one and one-half of one percent.

6 Section 7. Contingent upon satisfaction of all necessary conditions contained in R.S.
7 1145.1, the first ninety-four thousand three hundred thirteen dollars of the current benefit of
8 each retiree and beneficiary of the Louisiana School Employees' Retirement System who
9 meets the eligibility criteria contained in the statute and recited herein shall be increased by
10 the applicable 2013 consumer price index of one and one-half of one percent effective July
11 1, 2014.

12 Section 8. If any of the instruments which originated as Senate Bill No. 16, Senate
13 Bill No. 18, Senate Bill No. 21, or House Bill No. 1225 of the 2014 Regular Session of the
14 Legislature does not become effective, this Act shall be null and void and of no effect.

15 Section 9. This Act shall become effective on June 30, 2014; if vetoed by the
16 governor and subsequently approved by the legislature, this Act shall become effective on
17 June 30, 2014, or on the day following such approval by the legislature, whichever is later.

The original instrument was prepared by Margaret M. Corley. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy Vicknair.

DIGEST

Guillory (SB 19)

Present law, relative to the Louisiana School Employees' Retirement System (LSERS), provides for the accumulation of certain system funds in an "experience account". Provides for utilization of these funds for benefit increases, commonly called "cost-of-living adjustments" (COLAs), for retirees, survivors, and beneficiaries of the system. Provides for determination of eligibility for and the amount of an increase paid with these funds.

Present law provides for notification of the legislature by the LSERS board of trustees that the conditions for granting a COLA contained in present law have been met.

Present law requires the legislature to approve any COLA.

Proposed law retains present law and approves a COLA to be paid July 1, 2014, pursuant to the provisions of present law.

Proposed law states that if any of the instruments which originated as Senate Bill No. 16, Senate Bill No. 18, Senate Bill No. 21, or House Bill No. 1225 of the 2014 Regular Session

of the Legislature does not become effective, then proposed law shall be null and void and of no effect. These bills are for the retirees of State Police Retirement System, Louisiana State Employees' Retirement System, and Teachers' Retirement System of Louisiana.

Effective June 30, 2014.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Retirement to the original bill

1. Makes the COLA for LSERS effective only if the COLA for the other three state retirement systems are effective. The three other state retirement systems are Louisiana State Employees' Retirement System, Teachers' Retirement System of Louisiana, and State Police Retirement System.

Senate Floor Amendments to engrossed bill

1. Adds House Bill No. 1225 to Senate Bill Nos. 16, 18, and 21 as the instruments requiring enactment in order for the COLAs to become effective.