

2016 Regular Session

HOUSE BILL NO. 48

BY REPRESENTATIVE IVEY

RETIREMENT/BDS - COMMISSIONS: Adds citizens unaffiliated with the retirement system to each state retirement system board of trustees

1 AN ACT

2 To enact R.S. 11:511(7), 822(A)(11), 1162(A)(9), and 1302(A)(12), relative to state
3 retirement system boards of trustees; to provide with respect to the composition of
4 such boards; and to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:511(7), 822(A)(11), 1162(A)(9), and 1302(A)(12) are hereby
10 enacted to read as follows:

11 §511. Composition of board of trustees

12 The board of trustees shall consist of the following members:

13 * * *

14 (7) Five trustees who are citizens of Louisiana, who have filed state income
15 tax returns for the previous five consecutive years, and whose immediate families do
16 not include an active or retired member of the system or a beneficiary of the system.
17 For the purposes of this Paragraph, the term "immediate family" shall have the
18 meaning provided as in R.S. 42:1102. The president of the Senate and the speaker
19 of the House of Representatives of the Legislature of Louisiana shall each appoint
20 two trustees pursuant to the provisions of this Paragraph, and the legislative auditor

shall appoint one. Each trustee appointed pursuant to the provisions of this Paragraph shall serve a four-year term. Notwithstanding the provisions of R.S. 11:512, a vacancy in a trustee position established by this Paragraph shall be filled for the remainder of the term in the same manner and by the same official as the original appointment.

* * *

§822. Members of board of trustees; appointment or election; terms of office;
vacancies; compensation

A. The board shall consist of such trustees as follows:

* * *

(11) Five trustees who are citizens of Louisiana, who have filed state income tax returns for the previous five consecutive years, and whose immediate families do not include an active or retired member of the system or a beneficiary of the system. For the purposes of this Paragraph, the term "immediate family" shall have the meaning provided as in R.S. 42:1102. The president of the Senate and the speaker of the House of Representatives of the Legislature of Louisiana shall each appoint two trustees pursuant to the provisions of this Paragraph, and the legislative auditor shall appoint one. Each trustee appointed pursuant to the provisions of this Paragraph shall serve a four-year term. Notwithstanding the provisions of Subsection C of this Section, a vacancy in a trustee position established by this Paragraph shall be filled for the remainder of the term in the same manner and by the same official as the original appointment.

* * *

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

A. The board shall consist of the following trustees:

* * *

(9) Three trustees who are citizens of Louisiana, who have filed state income
tax returns for the previous five consecutive years, and whose immediate families do

1 not include an active or retired member of the system or a beneficiary of the system.

2 For the purposes of this Paragraph, the term "immediate family" shall have the

3 meaning provided in R.S. 42:1102. The president of the Senate of the Legislature

4 of Louisiana, the speaker of the House of Representatives of the Legislature of

5 Louisiana, and the legislative auditor shall each appoint one trustee. Each trustee

6 appointed pursuant to the provisions of this Paragraph shall serve a four-year term.

7 Notwithstanding the provisions of Subsection B of this Section, a vacancy in a

8 trustee position established by this Paragraph shall be filled for the remainder of the

9 term in the same manner and by the same official as the original appointment.

10 * * *

11 §1302. Creation and composition of board; powers; expenses of administration

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

14 * * *

15 (12) Three trustees who are citizens of Louisiana, who have filed state

16 income tax returns for the previous five consecutive years, and whose immediate

17 families do not include an active or retired member of the system or a beneficiary of

18 the system. For the purposes of this Paragraph, the term "immediate family" shall

19 have the meaning provided as in R.S. 42:1102. The president of the Senate of the

20 Legislature of Louisiana, the speaker of the House of Representatives of the

21 Legislature of Louisiana, and the legislative auditor shall each appoint one trustee.

22 Each trustee appointed pursuant to the provisions of this Paragraph shall serve a

23 four-year term. Notwithstanding the provisions of Subsection B of this Section, a

24 vacancy in a trustee position established by this Paragraph shall be filled for the

25 remainder of the term in the same manner and by the same official as the original

26 appointment.

27 * * *

- 1 Section 2. This Act shall become effective on June 30, 2016; if vetoed by the
2 governor and subsequently approved by the legislature, this Act shall become effective on
3 June 30, 2016, or on the day following such approval by the legislature, whichever is later.
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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 48 Original

2016 Regular Session

Ivey

Abstract: Adds citizens unaffiliated with the retirement system to the boards of trustees of each of the four state retirement systems.

Present law establishes the La. State Employees Retirement System (LASERS) as a state retirement system and provides for its governance by a board of trustees composed as follows:

- (1) The chairman of the retirement committee of the House of Representatives, or his designee.
- (2) The chairman of the retirement committee of the Senate, or his designee.
- (3) The state treasurer, or his designee.
- (4) The commissioner of administration, or his designee.
- (5) Six active member trustees elected by active members of the system.
- (6) Three retired member trustees elected by the retirees of the system.

Proposed law adds five citizen trustees to the LASERS board. Each such trustee shall have filed his state income tax returns for the last five consecutive years and shall not have an immediate family member who is an active or retired member of the system or a beneficiary of the system. Proposed law further provides that each such trustee shall serve a four-year term and that vacancies in the office shall be filled in the same manner as the original appointment. Requires the president of the Senate and the speaker of the House to each appoint two trustees and requires the legislative auditor to appoint one.

Present law establishes the Teachers' Retirement System of La. (TRSL) as a state retirement system and provides for its governance by a board of trustees composed as follows:

- (1) The state superintendent of education, or his designee.
- (2) One voting member representing the members paid by school food service funds.
- (3) The state treasurer, or his designee.
- (4) The commissioner of administration, or his designee.
- (5) The chairman of the House Committee on Retirement, or his designee.
- (6) The chairman of the Senate Committee on Retirement, or his designee.
- (7) One voting member representing the state colleges and universities.
- (8) One voting member from and to represent each of seven districts, to be elected by a majority of the members employed in the respective districts.
- (9) Two retired member trustees.
- (10) One member representing school superintendents.

Proposed law adds five citizen trustees to the TRSL board. Each such trustee shall have filed his state income tax returns for the last five consecutive years and shall not have an immediate family member who is an active or retired member of the system or a beneficiary of the system. Proposed law further provides that each such trustee shall serve a four-year term and that vacancies in the office shall be filled in the same manner as the original

appointment. Requires the president of the Senate and the speaker of the House to each appoint two trustees and requires the legislative auditor to appoint one.

Present law establishes the La. School Employees' Retirement System (LSERS) as a state retirement system and provides for its governance by a board of trustees composed as follows:

- (1) President of the La. School Bus Operators' Assoc.
- (2) Chairman of the retirement committee of the House of Representatives, or his designee.
- (3) Chairman of the retirement committee of the Senate, or his designee.
- (4) The secretary of state, or his designee.
- (5) The state treasurer, or his designee.
- (6) The commissioner of administration, or his designee.
- (7) One active member trustee from and to represent each of four districts, to be elected by a majority of the members employed in the respective districts.
- (8) Two retired member trustees.

Proposed law adds three citizen trustees to the LSERS board. Each such trustee shall have filed his state income tax returns for the last five consecutive years and shall not have an immediate family member who is an active or retired member of the system or a beneficiary of the system. Proposed law further provides that each such trustee shall serve a four-year term and that vacancies in the office shall be filled in the same manner as the original appointment. Requires the president of the Senate, the speaker of the House, and the legislative auditor to each appoint one trustee.

Present law establishes the State Police Retirement System (STPOL) as a state retirement system and provides for its governance by a board of trustees composed as follows:

- (1) The state treasurer, or his designee.
- (2) The commissioner of administration, or his designee.
- (3) The superintendent of the office of state police, or his designee.
- (4) The president of the La. State Troopers' Assoc.
- (5) The president of the Central State Troopers' Coalition.
- (6) The chairman of the House Committee on Retirement.
- (7) The chairman of the Senate Committee on Retirement.
- (8) One active member of the system, who has credit for at least five years of service, elected by the active members of the system.
- (9) One retired member of the system elected by the retired members of the system.
- (10) One at-large member of the system, either active or retired.
- (11) One surviving spouse of a deceased member elected by the active and retired members of the system.

Proposed law adds three citizen trustees to the STPOL board. Each such trustee shall have filed his state income tax returns for the last five consecutive years and shall not have an immediate family member who is an active or retired member of the system or a beneficiary of the system. Proposed law further provides that each such trustee shall serve a four-year term and that vacancies in the office shall be filled in the same manner as the original appointment. Requires the president of the Senate, the speaker of the House, and the legislative auditor to each appoint one trustee.

Proposed law for each system provides that for the purposes of proposed law, the term "immediate family" means children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

Eff. June 30, 2016.

(Adds R.S. 11:511(7), 822(A)(11), 1162(A)(9), and 1302(A)(12))