

SENATE BILL NO. 48

BY SENATOR GUILLORY

1 AN ACT

2 To amend and reenact R.S. 11:511, 822(A) and (B), 1162(A), and 1164, relative to state
3 retirement systems; to provide relative to the membership of the boards of trustees
4 of the Louisiana State Employees' Retirement System, the Teachers' Retirement
5 System of Louisiana, and the Louisiana School Employees' Retirement System; and
6 to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:511, 822(A) and (B), 1162(A), and 1164 are hereby amended and
10 reenacted to read as follows:

11 §511. Composition of board of trustees

12 The board of trustees shall consist of ~~twelve~~ **the following** members,~~as~~
13 ~~follows:~~

14 (1) The chairman of the Retirement Committee of the House of
15 Representatives, ex officio, **or his designee.**

16 (2) The chairman of the Retirement Committee of the Senate, ex officio, **or**
17 **his designee.**

18 (3) The treasurer of the state of Louisiana, ex officio, **or his designee.**
19 **Notwithstanding the provisions of R.S. 49:307.1, the treasurer may name any**
20 **person as his designee to this board.**

21 (4) **The commissioner of administration, ex officio, or his designee.**

22 **(5)** Six trustees who shall be active employees and members of the system
23 with at least ten years of creditable service and who shall be elected by the members
24 of the system for a term of four years to succeed members whose terms expire under
25 rules and regulations adopted by the board to govern the elections. However, those
26 trustees whose terms begin on or after January 1, 1998, shall be eligible to serve only
27 three consecutive four-year terms, to include any term served as an active or retired

1 member. Upon the completion of the third consecutive four-year term, the trustee
 2 shall be ineligible for a fourth consecutive term of office. An active member who
 3 retires while serving on the board shall be allowed to remain on the board for the
 4 remainder of the term for which elected. The director, assistant directors, chief
 5 investment officer, and other employees of the staff of the system shall be ineligible
 6 for membership on the board, and no member of the board elected under this Section
 7 shall be eligible for one of these positions for a period of two years after the
 8 termination of their service on the board. No department in the executive branch of
 9 state government, as more particularly described in Title 36 of the Louisiana Revised
 10 Statutes of 1950, as amended and revised, may have more than two trustees serving
 11 on the board at the same time. The candidate or candidates who have received the
 12 highest and next highest vote tallies, and who do not violate the prohibition against
 13 more than two trustees serving from the same department, shall be declared the
 14 elected trustee or trustees.

15 ~~(5)~~ **(6)** Three trustees who are retired members of the system and who shall
 16 represent the retired members of the system. The retired trustees shall be elected by
 17 the retired members of the system for a term of four years. However, those trustees
 18 whose terms begin on or after January 1, 1998, shall be eligible to serve only three
 19 consecutive four-year terms, to include any term served as an active or retired
 20 member. Upon the completion of the third consecutive four-year term, the trustee
 21 shall be ineligible for a fourth consecutive term of office. The election shall be held
 22 in accordance with the rules adopted by the board to govern the elections of trustees.
 23 Vacancies shall be filled in accordance with R.S. 11:512.

24 * * *

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

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

28 (1) The state superintendent of ~~public~~ education, ~~or his first assistant,~~
 29 ~~appointed pursuant to Article IV, Section 13 of the Louisiana Constitution of 1974,~~
 30 ex officio, **or his designee.**

1 (2) One voting member representing the members paid by school food
2 service funds shall be elected by a majority of ~~said~~ **the** members for a four-year term.

3 (3) The state treasurer, ex officio, **or his designee**. **Notwithstanding the**
4 **provisions of R.S. 49:307.1, the treasurer may name any person as his designee**
5 **to this board.**

6 (4) **The commissioner of administration, ex officio, or his designee.**

7 ~~(5)~~ (5) The chairman of the Retirement Committee of the House of
8 Representatives of the Louisiana Legislature, ex officio, or his designee.

9 ~~(5)~~ ~~(6)~~ (6) The chairman of the Retirement Committee of the Senate of the
10 Louisiana Legislature, ex officio, or his designee.

11 ~~(6)~~ (7) One voting member representing the state colleges and universities
12 at large shall be elected by a majority of the members of the Teachers' Retirement
13 System of Louisiana employed by the colleges and universities of the state for a
14 four-year term.

15 ~~(7)~~ (8) One voting member from and to represent each of seven districts, to
16 be elected by a majority of the members employed in the respective districts to a
17 four-year term, except those members who are employed by the state colleges and
18 universities and who elect a representative under Paragraph ~~(6)~~ (7) of this Subsection
19 and those members paid by school food service funds and who elect a representative
20 under Paragraph (2) of this Subsection and who shall not be a parish or city
21 superintendent of schools. The seven districts shall be composed of parishes as
22 follows:

23 **(a)** District 1: Ascension, St. James, St. John the Baptist, St. Charles,
24 Jefferson, Plaquemines, St. Bernard.

25 **(b)** District 2: Washington, St. Tammany, Orleans.

26 **(c)** District 3: East Baton Rouge, Iberville, Assumption, Lafourche,
27 Terrebonne.

28 **(d)** District 4: Caddo, Bossier, Webster, Claiborne, ~~De Soto~~ **DeSoto**, Red
29 River, Bienville, Lincoln, Sabine, Natchitoches.

30 **(e)** District 5: Union, Morehouse, West Carroll, East Carroll, Jackson,

1 Ouachita, Richland, Madison, Caldwell, Franklin, Tensas, Catahoula, Concordia,
2 West Feliciana, East Feliciana, St. Helena, Livingston, Tangipahoa.

3 (f) District 6: Winn, Grant, LaSalle, Vernon, Rapides, Avoyelles,
4 Beauregard, Allen, Evangeline, St. Landry, Pointe Coupee, Jefferson Davis, St.
5 Martin, West Baton Rouge.

6 (g) District 7: Calcasieu, Acadia, Cameron, Vermilion, Lafayette, Iberia, St.
7 Mary.

8 ~~(8)~~ (9) Two voting members to represent the retired teachers shall be elected
9 by a majority of those voting retired members of the Teachers' Retirement System
10 of Louisiana for a four-year term.

11 ~~(9)~~ (10) One voting member, who shall be a parish or city superintendent of
12 schools, shall be elected by all parish and city superintendents of schools in
13 Louisiana, for a four-year term.

14 B. There shall be no restriction as to type of employment or position held as
15 a qualification for any member seeking election under Paragraphs ~~(6) through (8)~~ of
16 ~~Subsection A~~ (A)(7) through (9) of this Section; however, an elected member of the
17 board who has served at least twelve months of his term shall be eligible to continue
18 as a member of the board following the effective date of his retirement from the
19 system, until the expiration of the term for which he was elected; however, no
20 elected member of the board shall be eligible to continue as a member of the board
21 after December thirty-first following any change in his principal residence,
22 employment, or status which would otherwise render him ineligible to become a
23 candidate for the position to which he was previously elected.

24 * * *

25 §1162. Members of board of trustees; appointment or election; terms of office;
26 vacancies; compensation

27 A. The board shall consist of ~~eleven~~ the following trustees, ~~as follows~~:

28 (1) President of the Louisiana School Bus Operators' Association, ex officio.

29 (2) Chairman of the ~~Appropriations~~ Retirement Committee of the House of
30 Representatives, ex officio, or his designee.

1 (3) Chairman of the Retirement Committee of the Senate, ex officio, **or his**
 2 **designee.**

3 (4) The secretary of state, ex officio, **or his designee.**

4 (5) The state treasurer, ex officio, **or his designee.** **Notwithstanding the**
 5 **provisions of R.S. 49:307.1, the treasurer may name any person as his designee**
 6 **to this board.**

7 **(6) The commissioner of administration, ex officio, or his designee.**

8 ~~(6)(a)~~ **(7)(a)** Four members of the system shall be elected by the members
 9 of the retirement system for a term of four years each, according to such rules and
 10 regulations as the board of trustees shall adopt to govern such elections. Except as
 11 otherwise provided in this Paragraph, each board member shall be a resident of the
 12 district represented. The districts will elect a member for a four-year term with the
 13 elections staggered so as to elect one member each year. Participation in the
 14 Deferred Retirement Option Plan shall not cause a member to be ineligible for
 15 candidacy in an election for the active member position on the board of trustees.
 16 Any member of this system who is elected to serve as a representative of the active
 17 members on the board of trustees and who, after such election, either commences
 18 participation in the Deferred Retirement Option Plan or retires shall not have his
 19 term of office as a trustee affected by either of those events.

20 (b) Beginning March 1, 1997, and until December 31, 2008, the districts
 21 shall be composed of the following parishes:

22 (i) District 1: Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St.
 23 Bernard, St. Charles, St. James, St. John the Baptist, and Terrebonne.

24 (ii) District 2: Ascension, East Baton Rouge, East Feliciana, Iberville,
 25 Lafayette, Livingston, St. Helena, St. Martin, St. Tammany, Tangipahoa,
 26 Washington, West Baton Rouge, and West Feliciana.

27 (iii) District 3: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne,
 28 Concordia, DeSoto, East Carroll, Franklin, Jackson, LaSalle, Lincoln, Madison,
 29 Morehouse, Ouachita, Red River, Richland, Tensas, Union, Webster, West Carroll,
 30 and Winn.

1 (iv) District 4: Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Cameron,
 2 Evangeline, Grant, Iberia, Jefferson Davis, Natchitoches, Pointe Coupee, Rapides,
 3 Sabine, St. Landry, St. Mary, Vermilion, and Vernon.

4 (c) Each member elected pursuant to this Paragraph who takes office on or
 5 after January 1, 2009, shall be elected from districts composed as provided in this
 6 Subparagraph. Each member serving on December 31, 2008, who was elected to
 7 represent a district as provided in Subparagraph (b) of this Paragraph shall represent
 8 the district as provided in this Subparagraph having the same number designation as
 9 the district as provided in Subparagraph (b) of this Paragraph from which the
 10 member was elected until the expiration of his term of office, whether or not he is
 11 a resident of the district as provided in this Subparagraph. Each successor of a
 12 member serving on December 31, 2008, who was elected to represent a district as
 13 provided in Subparagraph (b) of this Paragraph shall be elected from the district as
 14 provided in this Subparagraph having the same number designation and shall be a
 15 resident of the district as provided in this Subparagraph. On January 1, 2009, and
 16 thereafter, the districts shall be composed of the following parishes:

17 (i) District 1: Assumption, Iberia, Iberville, Jefferson, Lafayette, Lafourche,
 18 Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St.
 19 Martin, St. Mary, and Terrebonne.

20 (ii) District 2: Ascension, East Baton Rouge, East Feliciana, Livingston, St.
 21 Helena, St. Tammany, Tangipahoa, Washington, West Baton Rouge, and West
 22 Feliciana.

23 (iii) District 3: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne,
 24 Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita,
 25 Richland, Tensas, Union, Webster, and West Carroll.

26 (iv) District 4: Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Cameron,
 27 ~~Desoto~~ **DeSoto**, Evangeline, Grant, Jefferson Davis, LaSalle, Natchitoches, Pointe
 28 Coupee, Rapides, Red River, Sabine, St. Landry, Vermilion, Vernon, and Winn.

29 ~~(7)~~ **(8)** Two retired members elected at large by the retirees of the retirement
 30 system, provided the members' terms of office are for the same duration, but

1 staggered so that the beginning and ending years of each member's term are not on
2 the same year, and the member's terms and elections shall be governed according to
3 rules and regulations adopted by the board of trustees.

4 * * *

5 §1164. Voting power of trustees; votes necessary for action of board

6 Each trustee shall be entitled to one vote in the board. ~~Five~~ Six votes shall
7 be necessary for a decision by the trustees at any meeting of the board.

8 Section 2. This Act shall become effective on June 30, 2012; if vetoed by the
9 governor and subsequently approved by the legislature, this Act shall become effective on
10 June 30, 2012, or on the day following such approval by the legislature, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____