

Bills Affecting MERS

HB 12 Original 2016 Regular Session Pearson-MERS Supports

Abstract: Provides that the commissioner of administration and the state treasurer, or their designees, serve as voting members of the Municipal Employees' Retirement System (MERS) board of trustees.

Present law provides that MERS is governed by an eleven-member board of trustees.

Present law provides that the commissioner of administration and the state treasurer, or their designees, are members of this board; however, provides that they are nonvoting members.

Proposed law provides that the commissioner of administration and the state treasurer, or their designees, serve as voting members of the MERS board.

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

(Amends R.S. 11:1821(B))

Has passed the House of Representatives and now pending in Senate Retirement Committee.

HB 14 Original 2016 Regular Session Pearson-MERS No Position

Abstract: Replaces the chairmen of the House and Senate committees on retirement with the speaker of the House of Representatives and the president of the Senate on each state and statewide retirement system, plan, and fund.

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

[All state and statewide systems]

Present law further provides that the chairmen of the House and Senate committees on retirement serve as trustees on each such board.

Proposed law removes the chairmen of the retirement committees as trustees of each board and instead places the speaker of the House of Representatives and the president of the Senate as ex officio trustees on each such board.

Present law for every system except the State Police Retirement System authorizes the legislative ex officio trustees to appoint designees. Proposed law authorizes the legislative ex officio trustees to also appoint designees to serve on the State Police Retirement System board.

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

Pending in House Retirement Committee, scheduled to be heard on April 14.

HB 17 Original 2016 Regular Session Pearson MERS Supports

Abstract: Authorizes employees of the La. Local Government Environmental Facilities and Community Development Authority to participate in the Municipal Employees' Retirement System (MERS).

Present law establishes MERS and authorizes certain entities that are not municipalities to participate in such system by agreement.

Proposed law adds the La. Local Government Environmental Facilities and Community Development Authority to the list of entities authorized to participate in MERS by agreement with the system board of trustees.

Passed the House of Representatives and now pending in Senate Retirement Committee.

HB 20 Original 2016 Regular Session Foil MERS Deferred

Abstract: Authorizes employees of the 19th Judicial District Court (JDC) in the parish of East Baton Rouge to participate in the Municipal Employees' Retirement System (MERS).

Present law establishes MERS and authorizes certain entities that are not municipalities to participate in such system by agreement. Proposed law adds the 19th JDC to the list of entities authorized to participate in MERS.

Proposed law requires all employees of the 19th JDC hired on or after the effective date of an agreement for participation to participate in MERS if the employee meets the definition of "employee" in present law for MERS. Such definition requires an employee to be actively employed by a participating employer on a permanent, regularly scheduled basis of at least an average of thirty-five hours per week.

Pending in House Retirement Committee.

HB 23 Original 2016 Regular Session Reynolds MERS Supports

Abstract: Requires the Municipal Employees' Retirement System (MERS) board of trustees to establish rules and regulations with respect to certain procedures governing trustee elections. Present law creates the 11-member board of trustees of the MERS system. Further provides relative to procedures with respect to the election of trustees to the board. Proposed law retains present law.

Present law requires each ballot cast in a trustee election that is received by the system be stored and kept in a secure location within the system office. Further limits access to such ballots to the director or his designee, who can certify the date of receipt of each ballot and safeguard procedures related thereto. Proposed law repeals present law and further requires the board to establish rules and regulations with respect to the retention and certification of ballots received by the system.

Passed the House of Representatives and now pending in Senate Retirement Committee.

HB 34 Original 2016 Regular Session Reynolds MERS Supports

Abstract: Provides that any municipal mayor, whether appointed or elected and regardless of work schedule, is in the Municipal Employees' Retirement System (MERS).

Present law creates and provides for MERS. Defines employee for purposes of applicability of the retirement system as a person, including an elected official, actively employed by a municipality or other specified entities on a permanent, regularly scheduled basis of at least 35 hours per week.

Proposed law retains present law and additionally provides that any municipal mayor, whether appointed or elected and regardless of work schedule, is an employee covered by MERS.

Pending on House of Representatives on the Floor.

HB 37 Original 2016 Regular Session Jones MERS Deferred

Abstract: Provides that the commissioner of administration and the state treasurer, or their designees, serve as voting members of the Municipal Employees' Retirement System (MERS) board of trustees and provides relative to qualifications for service as an elected trustee.

Present law provides that MERS is governed by an 11-member board of trustees.

Present law provides that the board is composed of six active and contributing members of the system, three of whom are elected officials and three of whom are not elected officials. Requires that each such member has at least 10 years of creditable service.

Proposed law changes the minimum service requirement to 12 years.

Present law provides that the commissioner of administration and the state treasurer, or their designees, are members of this board; however, provides that they are nonvoting members.

Proposed law provides that the commissioner of administration and the state treasurer, or their designees, serve as voting members of the MERS board.

(Amends R.S. 11:1821(B))

HB 40 Original 2016 Regular Session Reynolds MERS Supports

Abstract: Requires employer and employee contributions to the Municipal Employees' Retirement System (MERS) during a period of reemployment of a retiree.

Present law provides that during a period of reemployment of a retiree of MERS, his employment income plus his retirement benefit may not exceed his final average compensation; if it does, his retirement benefit is reduced by the excess amount. Proposed law retains present law.

Present law provides that during such period of reemployment, the employee is not a member of the system. Proposed law removes this provision and requires that during the period of reemployment, the retiree and his employer make contributions to the retirement system. Provides, however, that the retiree shall not receive additional service credit or accrue additional benefits in the retirement system. Proposed law further provides that upon termination of reemployment, employee contributions shall be refunded to the retiree without interest and provides that the retirement system retains the employer contributions and interest.

Proposed law provides that proposed law is applicable to a retiree who is reemployed and receiving benefits on the effective date of the Act and to future reemployed retirees.

Effective upon signature of governor or lapse of time for gubernatorial action.
(Amends R.S. 11:1762(A) and (B))

Amended on the House floor to provide that it only applies to retirees first rehired on or after July 1, 2016, passed as amended and is now pending in Senate Retirement Committee.

SB 13 Original 2016 Regular Session Peacock MERS Supports

Present law provides for the composition of the eleven-member board of trustees for the Municipal Employees' Retirement System (MERS). Provides for the voting power of the board members. Specifies that two of the ex officio members, the commissioner of administration and the state treasurer, are nonvoting members.

Proposed law provides that the commissioner of administration, the state treasurer, and their designees, shall serve as voting members on the MERS board of trustees.

Effective June 30, 2016.
(Amends R.S. 11:1821(B))

Passed the Senate and now is pending in House Committee on Retirement.

HB 78 Original 2016 Regular Session Pearson MERS Supports

Present law (R.S. 42:1124.2.1–Tier 2.1) requires certain board and commission members to file a financial disclosure statement with the Board of Ethics by May 15 of each year during which the person holds the public office or position and the year following the termination of the holding of such office or position. The statement shall include the following information for the entire preceding calendar year:

- (1) the full name and mailing address of the individual required to file;
- (2) the full name of the individual's spouse and the spouse's occupation and principal business address;
- (3) the name of the employer, job title, and a brief job description of each employment position held by the individual or spouse;
- (4) the name, address, brief description of, and nature of association with and the amount of interest in each business in which the individual or spouse is a director, officer, owner, partner, member, or trustee, and in which the individual or spouse, either individually or collectively, owns an interest which exceeds 10% of that business;
- (5) the name, address, brief description of, and nature of association with a nonprofit organization in which the individual or spouse is a director or officer;
- (6) the amount of income received by the individual or his spouse from the state, political subdivisions, and certain gaming interests;
- (7) a certification that such individual has filed his federal and state income tax returns or has filed for an extension of time for filing such tax returns; and
- (8) either a certification that neither the individual nor any member of his immediate family had a personal or financial interest in any entity, contract, or business or a personal or financial relationship that in any way posed a conflict of interest which affected the impartial performance of the individual's duties as a member of the board or commission or a statement describing each conflict and any action the individual took to resolve or avoid the conflict.

Proposed law additionally requires the executive director or person holding the equivalent position of each state and statewide retirement system to file a Tier 2.1 personal financial statement and otherwise retains present law.

Present law (R.S. 42:1124.4) provides that after seven business days after notice of delinquency, if a person fails to file the statement, fails to provide omitted information, fails to correct inaccurate information, or fails to file a written answer prior to the deadline contained in the notice, he shall be subject to assessment of the penalties of \$50 each day until the statement, omitted information, corrected information, or written answer is filed.

Further provides that a finding by the Board of Ethics that a person has willfully and knowingly failed to file a statement, willfully and knowingly failed to timely file a statement, willfully and knowingly omitted information from a statement, or willfully and knowingly provided inaccurate information in a statement shall subject the person to prosecution for a misdemeanor.

Pending in House Committee on Judiciary.

HB 904 Original 2016 Regular Session Billiot

Abstract: Provides an exception, applicable to certified water and sewerage system operators, to a required reduction in retirement benefits for reemployed retirees from the Municipal Employees' Retirement System (MERS).

Present law provides that during a period of reemployment of a retiree of MERS, his employment income plus his retirement benefit may not exceed his average final compensation; if it does, his retirement benefit is reduced by the excess amount.

Proposed law retains present law except to provide that the required reduction in benefits does not apply to a certified operator of a water supply or sewerage system who returns to work in such a position. Limits this exception to not more than a lifetime total of three years.

Effective July 1, 2016.
(Amends R.S. 11:1762(B))

Pending in House Committee on Retirement, scheduled to be heard on April 14.