

House Committee on Retirement

Minutes of Meeting
2024 Regular Session
April 5, 2024

I. CALL TO ORDER

Representative Tony Bacala, chair of the House Committee on Retirement, called the meeting to order at 9:30 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Tony Bacala, chair
Representative Roy Daryl Adams
Representative Stephanie H. Berault
Representative Delisha Boyd
Representative Kendricks "Ken" Brass
Representative R. Dewith Carrier
Representative Josh Carlson
Representative Peter F. Egan, Sr.
Representative Aimee Adatto Freeman
Representative Timothy P. Kerner
Representative Brach Jerad Myers
Representative Sylvia Elaine Taylor
Representative Polly Thomas

MEMBERS ABSENT:

Representative John R. Illg, Jr., vice chair

STAFF MEMBERS PRESENT:

Alexandra Cravins, committee administrative assistant
Joey David, legislative analyst

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms
Vivian Wylene, sergeant at arms
Lauren Breen, clerk
Frank Meyer, IV, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 744 by Representative Glorioso**

Representative Glorioso presented House Bill No. 744, which provides relative to part-time reemployment of retirees in the Municipal Employees' Retirement System (MERS).

Maris LeBlanc, MERS, 7937 Office Park Boulevard, Baton Rouge, LA 70809, spoke in opposition to House Bill No. 744.

Lacey Weimer, MERS, 7937 Office Park Boulevard, Baton Rouge, LA 70809, spoke in opposition to House Bill No. 744.

Greg Curran, actuary, MERS, 10555 North Glenstone Place, Baton Rouge, LA 70810, spoke for information only on House Bill No. 744.

Kenny Herbold, director of actuarial services, office of the Louisiana legislative auditor, no address provided, spoke for information only on House Bill No. 744.

Representative Berault offered amendments to change the proposed law from removing the requirement for the benefit reduction to exempting retirees with more than 30 years of service from the required reduction. Representative Berault offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bacala, Adams, Berault, Boyd, Brass, Carrier, Carlson, Egan, Kerner, Myers, Taylor, and Thomas voted yea.

Representative Bacala offered a motion to report House Bill No. 744 with amendments. Without objection, House Bill No. 744 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bacala, Adams, Berault, Boyd, Brass, Carrier, Carlson, Egan, Kerner, Myers, Taylor, and Thomas voted yea.

House Bill No. 42 by Representative Firment

Representative Firment presented House Bill No. 42, which provides relative to membership in the Municipal Police Employees' Retirement System (MPERS).

Representative Bacala offered amendments in the form of a substitute bill. Representative Bacala offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 13 yeas and 0 nays. Representatives Bacala, Adams, Berault, Boyd, Brass, Carrier, Carlson, Egan, Freeman, Kerner, Myers, Taylor, and Thomas voted yea.

Mayor Rick Allen, city of Leesville and Louisiana Municipal Association, no address provided, spoke in support of House Bill No. 42.

Representative Bacala offered amendments to:

1. Remove the proposed law limiting MPERS membership to municipalities that enter an agreement with the system.
2. Remove the proposed law that would have removed the option available to employees who are in Social Security to not be members of MPERS.
3. Reduce the number of new mayors on the board of trustees from three to one and require at least one mayor to be from a town or village.

Representative Bacala offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Bacala, Adams, Berault, Boyd, Brass, Carrier, Carlson, Egan, Freeman, Kerner, Myers, Taylor, and Thomas voted yea.

Representative Bacala offered an amendment to add a provision to allow eligible municipalities the ability to pay delinquent amounts over a 15-year payment plan if the municipality enrolled all eligible employees by June 30, 2024. Representative Bacala withdrew the amendment. No vote was taken.

Mike Glasser, Police Association of New Orleans, no address provided, spoke in opposition to House Bill No 42.

Kevin Swann, Slidell Police Department, 2112 Sergeant Alfred Drive, Slidell, LA, spoke in opposition to House Bill No. 42.

Dr. Michael Carter, Shreveport Police Officers Association, 1527 Garland Place, Shreveport, LA 71105, spoke in opposition to House Bill No. 42.

Mark Kraus, retired deputy police chief, 830 Enterprise Boulevard, Lake Charles, LA, spoke in opposition to House Bill No. 42.

Ben Huxen, MPERS, 7722 Office Park Boulevard, Suite 200, Baton Rouge, LA 70809, spoke for information only on House Bill No. 42.

Sherri Morris, MPERS, 8900 Bluebonnet Boulevard, Baton Rouge, LA 70810, spoke for information only on House Bill No. 42.

Robert Gauss, MPERS, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, IN 46282, spoke for information only on House Bill No. 42.

Kenny Herbold, no witness card provided, spoke for information only on House Bill No. 42.

Mike Waguespack, office of the Louisiana legislative auditor, P.O. Box 94397, Baton Rouge, LA, spoke for information only on House Bill No. 42.

Greg Curran, actuary, MPERS, 10555 North Glenstone Place, Baton Rouge, LA 70810, spoke for information only on House Bill No. 42.

Representative Carrier offered a motion to report House Bill No. 42 with amendments. Without objection, House Bill No. 42 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bacala, Adams, Berault, Boyd, Brass, Carrier, Carlson, Egan, Kerner, Myers, Taylor, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, and 6 in opposition. Witness cards are included in the committee records.

Representative Bacala offered a motion to enact a three-minute rule for member questioning and witness testimony. Without objection, the three-minute rule passed by a vote of 12 yeas and 0 nays. Representatives Bacala, Adams, Berault, Boyd, Brass, Carrier, Carlson, Egan, Kerner, Myers, Taylor, and Thomas voted yea.

Representative Brass in the chair.

House Bill No. 43 by Representative Bacala

Representative Bacala presented House Bill No. 43, which provides relative to contributions to and the administration of the Municipal Police Employees' Retirement System.

Representative Brass offered amendments to:

1. Decrease the fine for not providing documents to the retirement system from \$100 per day to \$20 per day.
2. Add a penalty of \$50 per day for a municipality that fails to enroll a member in the system who should have been enrolled.

Representative Brass offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Kerner, Myers, and Thomas voted yea.

Representative Brass offered an amendment to remove the proposed law regarding the partial dissolution of police departments and the calculation of unaccrued liability payment related thereto. Representative Brass offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Kerner, Myers, and Thomas voted yea.

Representative Brass offered amendments to:

1. Add a provision for a 15-year payment plan for certain municipalities that have outstanding amounts owed to the system.
2. Add provisions prohibiting the board from collecting certain amounts due and providing that other amounts due never prescribe.

Ben Huxen, MPERS, 7722 Office Park Boulevard, Baton Rouge, LA 70809, spoke for information only on the proposed amendments to House Bill No. 43.

Representative Brass offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Kerner, Myers, and Thomas voted yea.

Richard Williams, Louisiana Municipal Association, no address provided, spoke in opposition to House Bill No. 43.

Sherbin Collette, mayor, town of Henderson, 1021 Robin Street, Henderson, LA, spoke in opposition to House Bill No. 43.

Michael Chauffe, Louisiana Municipal Association, no address provided, spoke in opposition to House Bill No. 43.

Mayor Rick Allen, city of Leesville and Louisiana Municipal Association, no address provided, spoke in opposition to House Bill No. 43.

Representative Myers offered a motion to report House Bill No. 43 with amendments, to which Representative Adams objected. The administrative assistant called the roll, and House Bill No. 43 was reported with amendments by a vote of 8 yeas and 2 nays. Representatives Bacala, Berault, Brass, Carlson, Egan, Kerner, Myers, and Thomas voted yea. Representatives Adams and Carrier voted nay.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, 7 in opposition, and 3 for information only. Witness cards are included in the committee records.

House Bill No. 36 by Representative Bacala

Representative Bacala presented House Bill No. 36, which provides relative to membership and benefits of the Municipal Police Employees' Retirement System (MPERS).

Representative Brass offered an amendment to provide for termination of membership by an elected official who is eligible for membership in another retirement system. Representative Brass offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Myers, and Thomas voted yea.

Representative Brass offered amendments to:

1. Provide relative to suspension of benefits for a reemployed retiree who retires between July 1, 2024, and June 30, 2026.
2. Provide relative to retirement eligibility of certain police chiefs subject to term limits.

Representative Brass offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Myers, and Thomas voted yea.

Representative Brass offered an amendment to provide for the definition of "employee" within the Baton Rouge Police Department. Representative Brass offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Myers, and Thomas voted yea.

James Mack, director, City Parish Employees Retirement System, 209 Saint Ferdinand Street, Baton Rouge, LA 70802, spoke for information only on House Bill 36.

Representative Carlson offered amendments to remove the provision requiring members of MPERS to opt out of the system by December 31, 2024. Representative Carlson offered a motion to adopt the proposed amendments, to which Representative Bacala objected. Representative Bacala offered a substitute motion to change the mandatory opt-out date from 2024 to 2026, to which Representative Carrier objected. The administrative assistant called the roll, and the passed by a vote of 8 yeas and 2 nays. Representatives Bacala, Berault, Brass, Carlson, Egan, Kerner, Myers, and Thomas voted yea. Representatives Adams and Carrier voted nay.

Richard Williams, Louisiana Municipal Association, no address provided, spoke in opposition to House Bill No. 36.

Sherbin Collette, mayor, town of Henderson, 1021 Robin Street, Henderson, LA, spoke in opposition to House Bill No. 36.

Michael Chauffe, Louisiana Municipal Association, Grosse Tete no address provided, spoke in opposition to House Bill No. 36.

Mayor Rick Allen, city of Leesville and Louisiana Municipal Association, no address provided, spoke in opposition to House Bill No. 36.

Representative Bacala offered a motion to report House Bill No. 36 with amendments, to which Representative Adams objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 5 yeas and 5 nays. Representatives Bacala, Berault, Brass, Myers, and Thomas voted yea. Representatives Adams, Carrier, Carlson, Egan, and Kerner voted nay.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, 7 in opposition, and 5 for information only. Witness cards are included in the committee records.

Chair Bacala in the chair.

House Bill No. 14 by Representative Dewitt

Representative Dewitt presented House Bill No. 14, which provides for benefits of rehired retirees in the Municipal Police Employees' Retirement System.

Representative Bacala offered amendments in the form of a substitute bill. Representative Bacala offered a motion to adopt the substitute bill. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Kerner, Myers, and Thomas voted yea.

Stephen Bankston, Louisiana Union of Police Association, 1332 Lakeridge Drive, Baton Rouge, LA, spoke in support of House Bill No. 14.

Representative Bacala offered a motion to report House Bill No. 14 by substitute. Without objection, House Bill No. 14 was reported by substitute by a vote of 10 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Kerner, Myers, and Thomas voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support, and 4 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Chair Bacala announced that House Bill No. 15 by Representative Fontenot, which provides for the reemployment of retired police officers of the Municipal Police Employees' Retirement System, had been voluntarily deferred by the author.

VI. ADJOURNMENT

Representative Thomas offered a motion to adjourn. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Bacala, Adams, Berault, Brass, Carrier, Carlson, Egan, Kerner, Myers, and Thomas voted yea.

The meeting was adjourned at 2:35 p.m.

Respectfully submitted,

Chair Tony Bacala
House Committee on Retirement

Date adopted: