

Regular Session, 2014

HOUSE BILL NO. 87

BY REPRESENTATIVE DANAHAAY

RETIREMENT/MUNICIPAL EMP: Provides for shared employment between the Vinton Public Power Authority and another employer in the Municipal Employees' Retirement System and provides guidelines and restrictions relative to creditable service for such employment

1 AN ACT

2 To amend and reenact R.S. 11:1732(13) and (14) and to enact R.S. 11:1751(F), relative to
3 the Municipal Employees' Retirement System; to provide relative to definitions for
4 the system; to provide relative to contemporaneous employment by more than one
5 participating employer; to provide relative to creditable service for such
6 employment; and to provide for related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 and Article X, Section
9 29(C) of the Constitution of Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:1732(13) and (14) are hereby amended and reenacted and R.S.
12 11:1751(F) is hereby enacted to read as follows:

13 §1732. Definitions

14 The following words and phrases, as used in this Chapter, unless a different
15 meaning is plainly required by the context, shall have the following meaning:

16 * * *

17 (13)(a) "Employee" means a person including an elected official, actively
18 employed by a participating employer on a permanent, regularly scheduled basis of
19 at least an average of thirty-five hours per week.

1 (b) Notwithstanding any provision of Subparagraph (a) of this Paragraph, the
2 word "employee" shall also mean a person who receives earnings from more than
3 one participating employer of which one is the Vinton Public Power Authority. Such
4 a person shall qualify as an employee of each participating employer based on the
5 cumulative hours worked for all participating employers.

6 (14)(a) "Employer" or "participating employer" ~~means~~ shall mean:

- 7 (i) Any incorporated city, town, or village in the state of Louisiana.
- 8 (ii) The Municipal Association of Louisiana.
- 9 (iii) The Louisiana Energy and Power Authority.
- 10 (iv) The Cajundome Commission.
- 11 (v) This retirement system.
- 12 (vi) Any planning and development commission in the state of Louisiana
- 13 which has entered into an agreement with the board.
- 14 (vii) The West Calcasieu Parish Community Center Authority.
- 15 (viii) The Vinton Public Power Authority.

16 (b) "Employer" shall not mean a city school board.

17 * * *

18 §1751. Membership

19 * * *

20 F. Any person who qualifies as an employee pursuant to R.S. 11:1732(13)(b)
21 shall participate in and contribute to the system on all earnings from all participating
22 employers. Nothing in this Subsection shall be construed to grant any additional
23 service credit above what would have been earned if all such earnings of the
24 employee were paid by a single participating employer.

25 Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor
26 and subsequently approved by the legislature, this Act shall become effective on July 1,
27 2014, or on the day following such approval by the legislature, whichever is later.

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)]

Danahay

HB No. 87

Abstract: Authorizes a person who is employed by the Vinton Public Power Authority and another participating employer in the Municipal Employees' Retirement System (MERS) to qualify as a member of the system based on all employment with such employers, subject to certain restrictions.

Present and proposed law provide that the Vinton Public Power Authority is eligible to be a participating employer in MERS.

Present law provides that to qualify for membership in MERS, an "employee" must be employed by a participating employer for at least 35 hours per week. Proposed law provides an exception for persons employed by the Vinton Public Power Authority and another participating employer in MERS. Such persons qualify for membership in MERS based on the cumulative hours worked for all participating employers.

Proposed law provides that persons who qualify for membership based on employment with the Vinton Public Power Authority and another participating employer shall contribute to the system on all earnings from covered employment. Further prohibits such a member from accruing more creditable service for such employment than he would otherwise accrue if all service had been rendered to a single participating employer.

Effective July 1, 2014.

(Amends R.S. 11:1732(13) and (14); Adds R.S. 11:1751(F))