

SENATE RETIREMENT COMMITTEE

2005-2006

Senator Bill Heath, Chairman

District 31
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Senator Preston Smith, Vice Chairman

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Senator Nancy Schaefer, Secretary

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Senator Vincent Fort

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Senator Judson Hill

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Senator Ralph Hudgens

District 47
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Senator Doug Stoner

District 6
Post Office Box 1781
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Senator Horacena Tate

District 38
201 Joseph Lowery Boulevard, Northwest
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2005-2006 RULES FOR SENATE RETIREMENT COMMITTEE

1. Quorum of the Committee shall be four (4) members.
2. The Chairman shall determine which bills and resolutions are to be considered and the order in which said measures are considered.
3. The Chairman shall have the authority to refer bills and resolutions to subcommittee for study. Such subcommittees, in turn, shall have the authority to make recommendations on such measures to the full committee.
4. The Committee shall convene, recess, put all questions and adjourn upon order of the Chairman, subject to the rules of the Senate.
5. The Committee shall not vote on any bill until the author or his/her designee has been given the opportunity to appear and be heard. The principal author shall be the legislator whose name appears first on the list of authors.
6. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report.
7. No official action may be taken on any fiscal bill before the Committee unless the proper fiscal note (Actuarial study on bills having a fiscal impact) is attached.
8. The rules of the Committee will prevail in all matters not covered by Senate rules or by the "Public Retirement Systems Standards Law".
9. After adoption, these rules may be amended upon motion duly made, seconded, and subsequently approved by a two-third vote of the members of the Committee.
10. All retirement bills with either a fiscal or non-fiscal impact shall not be put to Final passage by the Committee until such bills comply with provisions of the "Public Retirement Systems Standards Law".
11. The secretary of the Committee shall distribute a copy of these rules to all Members of the Senate and House Retirement Committees.

Senate Retirement Committee

The Senate Retirement Committee met on Wednesday, January 11, 2006 in room 310 of the Coverdell Legislative Office Building. The meeting was called to order by Senator Heath of the 31st at 1:31pm.

Members present: Senators Heath of the 31st, Schaefer of the 50th, Hudgens of the 47th, and Stoner of the 6th.

HB 149. (Rep. Franklin, 43rd) Garnishment; exempt certain IRAs

Representative Franklin spoke to the bill. Senator Shafer will handle this bill on the Senate Floor.

The motion that **HB 149 do pass** was made by Senator Stoner and seconded by Senator Schaefer. The motion passed unanimously.

Senator Stoner left at 1:34pm.

Jim Maynard with the Georgia Firefighters Pension Fund spoke briefly about the 50th Anniversary of the fund.

Senator Tate arrived at 1:35pm.

The meeting adjourned at 1:37pm.

/s/ Senator Schaefer, 50th District
Secretary

/s/ Jamie Martinez
Recording Secretary

Senate Retirement Committee

The Senate Retirement Committee met on Thursday, February 9, 2006 in room 310 of the Coverdell Legislative Office Building. The meeting was called to order by Senator Heath of the 31st at 1:32pm.

Members present: Senators Heath of the 31st, Schaefer of the 50th, Fort of the 39th, Hudgens of the 47th, Stoner of the 6th and Tate of the 38th.

SB 244. (Sen. Hudgens, 47th) Magistrates Retirement Fund; define terms; create board of commissioners' powers

Senator Hill arrived at 1:35pm.

Judge Haynes Townsend, past president of the Magistrate Court Judges Council spoke in support of the bill.

Senator Smith arrived at 1:37pm.

Judge Connie Holt spoke in favor of the bill. Senator Hudgens asked if she would rather have this version of the bill than no version. She stated that she would.

The motion that **SB 244 do pass by substitute** was made by Senator Smith and seconded by Senator Hudgens. The motion passed unanimously.

SB 427. (Sen. Hill, 32nd) Public Retirement Investment Authority Law; define terms; alternative investments

Senator Hill of the 32nd spoke to the bill and explained his substitute. The substitute has an additional sentence on page 5. It is lines 30 and 31. This is to ensure the funds invested in the system shall remain funds of the retirement system.

Mike Nehf with the Employees Retirement System stated that there are a lot of people who are going to be retiring soon and people are living longer. Alternate investments will provide an extra tool that the retirement systems can use to keep up with these changes in increasing retirement rates and life spans. Senator Fort asked Mr. Nehf what categories of employees are in ERS. Mr. Nehf answered state employees, non teacher school workers, Judges, Legislators, Military as well as part-time employees that contribute. Senator Fort was interested in the opinions of the non teacher school workers.

Dan Ebersole with the Office of Treasury and Fiscal Services spoke in support of the bill. He stated that this is a mainstream form of investment that has a number of safeguards.

Tom Womack of PAGE spoke about SB 427. He thinks this bill is better than the 2001 attempt but he still has reservations. He is aware that TRS is not apart of this legislation but the non teacher workers are under ERS.

Mr. Allen Thornall with SEIU spoke about SB 427. He agrees that this allows the system to diversify but some members are uneasy about the change. He would like some state employees who were elected by state employees to sit on the ERS board.

Mary Khill, vice-president chief investment office at Emory University spoke briefly to the bill.

The motion that [SB 427](#) **do pass by substitute** was made by Senator Hudgens and seconded by Senator Smith.

Senator Fort had a statement. He said that a study committee was assigned to the previous attempt at this idea and that committee found that the state was not ready at that time. He is not comfortable that TRS is not included and will not vote for the bill.

Senator Tate stated that she was opposed to first bill and she is opposed to this one. She has had many calls from teachers and others who are against it so she will not be able to support the legislation.

The motion passed with Senators Heath, Hudgens, Stoner and Schaefer in favor and Senators Fort and Tate opposed.

[HB 895](#). (Rep. Yates, 73rd) Relating to definitions relative to the Peace Officers' Annuity and Benefit Fund

Senator Heath stated that there is not going to be a vote taken on this today.

Les Hammond with Department of Driver Services spoke on the bill. He wants to make sure all the language is correct before going forward.

Senator Tate left at 2:26pm to go to another committee meeting.

Mark McDonough and Mark McLeod with the Department of Public Safety spoke in support of the bill but they are concerned about some of the language. They want to make sure it is correct before moving forward.

Representative Ben Bridges, 10th stated that these concerns were not brought up in the House Retirement Meeting or they would have addressed them there.

The meeting was adjourned at 2:54pm.

/s/ Senator Schaefer, 50th District
Secretary

/s/ Jamie Martinez
Recording Secretary

Senate Retirement Committee

The Senate Retirement Committee met on Thursday, February 16, 2006 in room 310 of the Coverdell Legislative Office Building. The meeting was called to order by Senator Heath of the 31st at 2:40pm.

Members present: Senators Heath of the 31st, Schaefer of the 50th, Fort of the 39th, and Hudgens of the 47th.

HB 400. (Rep. Brooks, 97th) Teachers Retirement; postretirement benefit increase; provisions

Representative Coleman spoke in favor of the bill. He stated that this legislation provides a post retirement benefit increase for teachers who retired prior to 1974. He stated that the necessary funds are in the budget.

Charlie Roberts with the Georgia Retired Educators Association spoke in favor of the bill.

Senator Heath will carry this on the Senate floor.

The motion that **HB 400 do pass** was made by Senator Hudgens and seconded by Senator Schaefer. The motion passed unanimously.

HB 1020. (Rep. Bridges, 10th) Retirement; allowances; withdrawal of contributions; amend provisions

Representative Bridges and Mr. Mike Nehf of the Employees Retirement System spoke in favor of this bill. Mr. Nehf stated that it is a housekeeping bill requested by the ERS staff. It will allow for uniform procedures for benefit application procedures from system to system.

Senator Heath will carry this bill on the Senate floor.

The motion that **HB 1020 do pass** was made by Senator Schaefer and seconded by Senator Hudgens. The motion passed unanimously.

The meeting adjourned at 2:55pm.

/s/ Senator Schaefer, 50th District
Secretary

/s/ Jamie Martinez
Recording Secretary

Senate Retirement Committee

The Senate Retirement Committee met on Thursday, February 23, 2006 in room 310 of the Coverdell Legislative Office Building. The meeting was called to order by Senator Heath of the 31st at 1:37pm.

Members present: Senators Heath of the 31st, Smith of the 52nd, Schaefer of the 50th, Hill of the 32nd, Hudgens of the 47th, and Stoner of the 6th and Tate of the 38th.

HB 251. (Rep. Bridges, 10th): Judges of the Probate Courts Retirement Fund; designating surviving beneficiary

Bob Carter, Secretary and Treasurer of the Probate Judges Retirement Fund spoke to the bill.

The motion that **HB 251 do pass by substitute**, subject to receiving the auditor's certification was made by Senator Hudgens and seconded by Senator Stoner. The motion passed unanimously.

HB 660. (Rep. Cummings, 16th): Firefighters' and Class Nine Pension Funds; certain active military duty; creditable service

Jim Meynard, Executive Director of the Georgia Firefighters Pension Fund spoke to the bill.

The motion that **HB 660 do pass** was made by Senator Smith and seconded by Senator Schaefer. The motion passed unanimously.

HB 809. (Rep. Knight, 126th): Superior Clerks' Retirement; survivor benefits; amend provisions

Representative Knight spoke to the bill. He stated that there will be no cost to the state. The retirement fund will take the cost.

Carol Schwinne confirmed that there will be no cost to the state.

The motion that **HB 809 do pass** was made by Senator Smith and seconded by Senator Stoner. The motion passed unanimously.

The meeting adjourned at 2:07pm.

/s/ Senator Schaefer, 50th District
Secretary

/s/ Jamie Martinez
Recording Secretary

Senate Retirement Committee

The Senate Retirement Committee met on Thursday, March 2, 2006 in room 310 of the Coverdell Legislative Office Building. The meeting was called to order by Senator Heath of the 31st at 3:36pm.

Members present: Senators Heath of the 31st, Schaefer of the 50th, Fort of the 39th, Hudgens of the 47th, and Stoner of the 6th and Tate of the 38th.

Senator Heath explained that due to the fact that there were many committee meetings going on simultaneously he planned to make this meeting go by as quickly as possible. The members had been given their folders prior to the meeting and had the opportunity to speak to him about any questions or concerns they may have. He asked if there were any questions or comments from the committee. There were none. He then asked if there were any questions or comments from the audience. There were none. Senator Heath then read off all of the bills on the agenda. They were as follows:

[SB 177](#). (Sen. Tate, 38th): State Road and Tollway Authority; ERS membership

[HB 644](#). (Rep. Coleman, 97th): Employees' Retirement; allowable service; change provisions

[HB 749](#). (Rep. Cummings, 16th): Firefighters Pension; merge benefits/assets; class 9 with classes 1-8

[HB 1151](#). (Rep. Cole, 125th) Deferred compensation plan; Board of Trustees; administer

The motion that **[HB 644](#)**, **[HB 749](#)**, **[HB 1151](#)** do pass and **[SB 177](#)** do pass by substitute by consent agenda out of Senate Retirement was made by Senator Hudgens and seconded by Senator Tate. The motion passed unanimously.

The meeting adjourned at 3:41pm.

/s/ Senator Schaefer, 50th District
Secretary

/s/ Jamie Martinez
Recording Secretary

Senate Retirement Committee

The Senate Retirement Committee met on Wednesday, March 22, 2006 in the Senate Mezzanine. The meeting was called to order by Senator Heath of the 31st at 4:31pm.

Members present: Senators Heath of the 31st, Schaefer of the 50th, Hudgens of the 47th, and Stoner of the 6th.

HB 379. (Rep. Bridges, 10th): Employees' Retirement; disability benefits; eligibility provisions

Mr. Mike Nehf, Executive Director of the Employees' Retirement System spoke to the bill.

The motion that **HB 379 do pass by substitute** was made by Senator Hudgens and seconded by Senator Schaefer. The motion passed unanimously.

HB 344. (Rep. Cummings, 16th): Limits membership to Firefighters

Senator Fort arrived at 4:33pm.

Senator Tate arrived at 4:33pm.

Jim Meynard, Executive Director of Georgia Firefighters' Pension Fund spoke to the bill. He stated that this bill limits participation to certified firefighters and enrolled volunteers. Currently people with administrative, mechanical and other non firefighter jobs are included in this fund.

Senator Schaefer wanted to make absolutely sure this will not affect volunteer firefighters. Mr. Meynard assured her that it will not.

Senator Fort asked where the workers who will no longer be eligible for this fund will go for their retirement. Mr. Meynard stated that this is a supplemental fund designed for those individuals who put their lives on the line and that the other workers will still have their regular fund through their county that they can participate in.

Senator Heath stated that the committee wants to move on to **HB 101** and will come back and vote on **HB 344** after discussion and voting on HB 101.

HB 101. (Rep. Brooks, 63rd): Peace Officers' Annuity and Benefit Fund; certain creditable service

Senator Heath explained the substitute. He stated that the bill as passed by the house over funded the legislation and the committee substitute was necessary to get it narrowed down to the group that the bill sought to address without putting additional burdens on the tax payers of Georgia. The substitute bill will allow the system to be funded based on known values.

Senator Smith arrived at 4:50pm.

The bill was presented to the committee by Representatives Tyrone Brooks, Willie Talton and Bill Cummings. President Pro Tempore Eric Johnson also spoke to the bill.

Senator Hudgens asked about the date on page 1 line 20 of the substitute. He said it reads December 31 and should read January 1. Mr. Bundrick stated that is was a drafting error and should read January 1. An amendment is needed.

Senator Fort thanked Representative Brooks of all of his hard work on this bill.

The motion that **HB 101 do pass by substitute** as amended was made by Senator Smith and seconded by Senator Hudgens. The motion passed unanimously.

Senator Heath state the committee would now return to HB 344.

The motion that **HB 344 do pass by substitute** was made by Senator Hudgens and seconded by Senator Schaefer. The motion passed 5 to 1. Senator Fort voted against the bill.

The meeting was adjourned at 5:10pm.

/s/ Senator Schaefer, 50th District
Secretary

/s/ Jamie Martinez
Recording Secretary