

**Members of the Senate Retirement Committee
2011 Session**

Senator Tim Golden, Chairman

District 8

110 Beacon Hill
Valdosta, GA 31602
Phone: 404-656-7580

Senator Fran Millar, Vice Chairman

District 40

P. O. Box 88096
Atlanta, GA 30356
Phone: 404-463-2260

Senator Charlie Bethel, Secretary

District 54

170 Briarcliff Circle
Dalton, GA 30720
Phone: 404-656-6436

Senator Emanuel Jones

District 10

P. O. Box 370244
Decatur, GA 30037
Phone: 404-656-0502

Senator Freddy Powell Sims

District 12

5377 Goose Hollow Rd.
Dawson, GA 31742
Phone: 404-463-5259

Senator Doug Stoner

District 6

P. O. Box 1781
Smyrna, GA 30081
Phone: 404-463-2518

Senator Lindsey Tippins District 37

139 Midway Road
Marietta, GA 30064
Phone: 404-657-0406

Senator Bill Heath

Ex-Officio, District 31

2225 Cashtown Road
Bremen, GA 30110
Phone: 404-656-3943

SENATE RETIREMENT COMMITTEE RULES

2011-2012

1. Quorum of the Committee shall be four (4) members. Every member, including ex-officio members, shall count as a voting member for purposes of establishing a quorum at any given meeting.
2. The Chairman shall determine which bills, resolutions, substitutes, or amendments are to be considered and the order in which said measures are considered; the Chairman shall have the authority and discretion to call a bill, resolution, substitute or amendment for debate and explanation only or to limit consideration of such measures.
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 recommendation on such measures to the full Committee at such times as shall be designated by the Chairman. All actions of the subcommittees shall be approved or disapproved by the standing committee.
4. The Chairman shall have the authority to schedule, manage, and regulate the debate on bills, resolutions, substitutes, and amendments, and may in his discretion recognize motions related to such measures and the order in which they are recognized.
5. When a bill or resolution is before the committee for consideration, the following shall be the precedence of the motions:
 - (1) a motion that a bill do pass;
 - (2) a motion that a bill do not pass;
 - (3) a motion to postpone to a time certain;
 - (4) a motion to refer a bill to a subcommittee.All motions shall receive a Second before consideration.
6. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
7. A bill or resolution will be considered only after presentation by its principal author or other legislator whom he/she may designate unless otherwise directed by the Chairman. The principal author shall be the legislator whose name appears first on the list of authors. The Committee shall not vote on any bill until the author or his or her designee has been given the opportunity to appear and be heard.
8. The Chairman reserves the right to delay or decline action on substitutes and amendments not provided to the Chairman in writing at least 24 hours prior to the hearing in which they are presented.
9. The Chairman shall not vote unless the committee shall be equally divided or unless his or her vote, if given in the minority, will make the division equal. In case the vote is equally divided, the Chairman must vote.
10. Any Member or Members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report if they so desire.
11. These rules may be amended upon a motion duly made and subsequently approved by two-thirds of the members of the Committee.
12. Where these rules are silent on a specific issue, the Rules of the Senate as adopted shall govern. If the Rules of the Senate are silent on a specific issue, Mason's Manual of Legislative Procedure shall govern.

MINUTES OF THE SENATE RETIREMENT COMMITTEE
Tuesday, January 25, 2011

The Senate Retirement Committee held its first meeting of the 2011 Session on Tuesday, January 25, 2011, in room 125 of the Capitol. Chairman Tim Golden called the meeting to order at 2:05 p.m. Members present at the meeting were as follows:

Senator Tim Golden, 30 th , Chairman	Senator Freddie Powell Sims, 12 th
Senator Fran Millar, 40 th , Vice Chairman	Senator Doug Stoner, 6 th
Senator Charlie Bethel, 54 th , Secretary	Senator Lindsey Tippins, 37 th
Senator Bill Heath, 31 st , Ex-Officio	

NOTE: Senator Jones, 10th, was absent from the meeting.

Chairman Golden called the meeting to order. The Committee Rules were read and Chairman Golden asked for a motion on the adoption of the rules. Senator Bethel, 54th, made a motion to adopt the rules, and Senator Stoner, 6th, seconded the motion. The vote was unanimous (5-0) in favor of adoption of the rules.

RULES ADOPTED

NOTE: Yeas were Senators Bethel, Heath, Powell Sims, Stoner, and Tippins.

NOTE: Senator Millar, 40th, arrived.

Chairman Golden asked Legislative Counsel, **David Bundrick**, to give the committee an overview of Retirement legislation. Mr. Bundrick stated that the Constitution of Georgia and general laws enacted pursuant to constitutional mandates govern the enactment of retirement legislation. A bill was considered retirement legislation if it affected retirement benefits or administration under any state or local public retirement system. Mr. Bundrick continued stating that although control of local governments' retirement systems was reserved to the local governing authorities, general law would govern matters related to the fiscal soundness of those systems, and would also be considered retirement legislation. Prior to introduction, each retirement bill must be submitted to the Department of Audits to determine whether it would have a fiscal impact on a retirement system. The retirement certification issued by the State Auditor as to the fiscal or nonfiscal nature of the bill must be attached to the retirement bill at the time it was introduced. Mr. Bundrick stated that the state auditor's certification was necessary because fiscal retirement bills were treated quite differently from nonfiscal retirement bills. Mr. Bundrick went on to explain the differences between nonfiscal and fiscal retirement bills as follows:

(1) A nonfiscal retirement bill is defined as: "a retirement bill which does not affect the cost or funding factors of a retirement system or a retirement bill which affects such factors only in a manner which does not: (a) Grant a benefit increase under the retirement system affected by the bill; (b) Create an actuarial accrued liability for or increase the actuarial accrued liability of the retirement system affected by the bill; or (c) Increase the normal cost of the retirement system affected by the bill." Nonfiscal bills could be introduced during the first 20 days of either session of the General Assembly. Mr. Bundrick stated that although such bills were normally assigned to the retirement committees, there was no legal requirement to that effect. After introduction, nonfiscal bills would proceed through the legislative process as any other bill, except that every amendment to the bill would require a certification of the state auditor to the effect that the amendment was still nonfiscal in nature.

(2) A fiscal retirement bill may be introduced only during the first session of the biennium, but it may be introduced on any day during which general bills may be introduced. The bill must be assigned to the retirement committee of the chamber in which it was introduced, but the bill may not be reported out of committee during that session. Each retirement committee must review the fiscal bills introduced in the first session to determine which bills it wished to consider during the second session. In reviewing the fiscal bills assigned to them, the committees may perfect the bill by means of a committee substitute. When the committee has selected the fiscal bills it wished to move forward, the chairperson would forward a copy of the perfected bills to the state auditor. This must be accomplished no later than July 15 following adjournment sine die. Each fiscal retirement bill submitted to the state auditor would undergo an actuarial investigation to determine the fiscal impact the bill would have on the retirement system. This actuarial investigation would take place during the interim between the first and second regular sessions and would be performed by independent actuarial firms under contract with the Department of Audits. The cost of the investigations was paid for from the legislative budget, and the state auditor must send a copy of the actuarial investigation to the respective committee chairpersons no later than November 1st. This document should show the actual "cost" of the bill to the retirement system, including the amount which must be appropriated in the year the bill is enacted. From this point forward, the bill could only be amended in such a way as to have no effect on the cost or to reduce the cost. During the second year of the biennium, the retirement committees would again consider the fiscal retirement bills and make a determination whether or not to pass the bills out of committee with a "do pass" recommendation. Every amendment to the bill must be submitted to the state auditor for review. If the state auditor determines that the amendment was nonfiscal in nature, the amendment may be adopted. If the state auditor determines that the amendment is fiscal in nature, another actuarial investigation would be required and, if the investigation showed the substitute or amendment does not increase the cost of the bill, the amendment may be adopted. The final actuarial investigation would show the amount that must be appropriated in the year in which the retirement bill would be enacted. The appropriations Act must contain a line item referring to the bill number and the exact amount to be appropriated determined by the actuarial investigation. Following adjournment sine die, the state auditor would issue a certification showing which enacted fiscal retirement bills were funded and which were not.

Having explained the difference between fiscal and nonfiscal retirement bills, Mr. Bundrick stated that the two largest public retirement systems were the Employees' Retirement System of Georgia and the Teachers Retirement System of Georgia. Mr. Bundrick then shared the following information on Georgia's Public Retirement Systems:

- The Employees Retirement System of Georgia (E.R.S.) covered executive branch, legislative branch, and some judicial branch employees as well as some local governmental employees. There were subsets of membership for certain types of members, such as appellate court judges and law enforcement officers, with differing benefits and other provisions.
- The Teachers Retirement System of Georgia (T.R.S.) covered public school teachers and employees of the board of regents. Membership was considered compulsory, and that the fund was funded through employer and employee contributions.
- The Regents Retirement Plan was an optional plan for faculty and principal administrators under the board of regents. Members were required to opt out of membership in the T.R.S. to participate in this portable defined contribution "401K" type plan. Each participant would maintain an account funded through employee and employer contributions
- The Georgia Judicial Retirement System was a retirement system for superior court judges, state court judges, district attorneys, solicitors-general, and juvenile court judges. (Supreme Court justices and judges of the court of appeals were not covered by this retirement system; they were members of the E.R.S. with special provisions.) Membership was considered compulsory, and the fund was funded through employer and employee contributions.
- The Georgia Legislative Retirement System was optional for members of the General Assembly, and was funded through employee and employer contributions.

- The Public School Employees Retirement System (P.S.E.R.S.) covered such public school employees as lunch room workers, bus drivers, and janitorial staff. Membership was compulsory, and the fund was funded through employee and employer contributions and appropriated funds.
- The Georgia Firefighters Pension Fund was a voluntary pension fund for firefighters, and a secondary retirement system intended to augment local pension plans. This plan was funded through membership dues and a surcharge on fire insurance premiums.
- The Magistrates Retirement Fund of Georgia covered full-time chief magistrates funded through membership contributions and a surcharge on filings in the magistrate courts. Membership was optional.
- The Peace Officers Annuity and Benefit Fund was an optional secondary retirement system for law enforcement officers funded through membership contributions and a surcharge on criminal and quasi-criminal fines and bond forfeitures.
- The Sheriffs' Retirement Fund of Georgia was an optional retirement fund for sheriffs funded through membership contributions and a surcharge on fines, fees, and bond forfeitures.
- The Georgia Military Pension Fund covers members of the Georgia National Guard. Membership was mandatory, but there was no membership contribution. The fund was funded with appropriated funds.
- The Superior Court Clerks' Retirement Fund of Georgia was an optional retirement system for clerks of the superior courts funded through membership contributions and a surcharge on fines and bond forfeitures.
- The Judges of the Probate Courts Retirement Fund of Georgia was an optional fund for judges of the probate courts funded through membership dues, a surcharge on fines and bond forfeitures, and a designated portion of marriage license fees.
- The Georgia Municipal Employees Benefit System provided a common administrative and investment system whereby the municipal corporations, at the discretion of the local governing authority and certain other entities, could provide retirement benefits to their employees in joint participation with other such entities.
- The Georgia Defined Contribution Plan covered part-time and temporary employees with no employer contribution or appropriated funds. Each employee paid 7 1/2 percent of his or her salary into the plan. When the employee left employment, he or she was paid that contribution back, together with whatever earnings may be attributed to that amount. This plan was established in 1992 in response to a shift in social security regulations and was intended to exempt the state from paying social security contributions on such employees.
- There were three "emeritus" retirement funds: the "Superior Court Judges Retirement Fund of Georgia; Senior Judges (Emeritus)", the "District Attorneys Emeritus and District Attorneys Retirement Fund of Georgia," and the "Superior Court Reporters Emeritus Law." These systems had been closed to new membership for many years, and each have only a few elderly beneficiaries remaining. These systems dated to an era before public retirement systems were permissible under the state constitution. In lieu of a retirement benefit, the "emeritus" members were paid a "salary." Legislation concerning these funds was very rare.

Mr. Bundrick then reviewed the following frequently asked questions and answers to the committee:

(1) Can the General Assembly reduce retirement benefits or increase employee contribution levels? The Supreme Court of Georgia has held that the promise of retirement benefits to public employees becomes a part of the employment contract. Because both the state constitution and the United States Constitution preclude the enactment of laws which would break an existing contract, the General Assembly may provide for a reduction of benefits only for employees who are hired after the legislation becomes effective.

(2) Can a bill introduced without the required certification of the state auditor be corrected? Introduction of a retirement bill without the state auditor's certification was fatal and could not be corrected. The bill would have to be reintroduced under a new LC number with the certification attached. This happened rarely, but when it did it often involved a retirement provision which was inadvertently inserted into legislation dealing primarily with another subject. An example would be a bill transferring employees from an employer covered by one retirement system to an employer covered by a different retirement system with a statement that retirement benefits would be retained by the transferred employees. That would be insufficient to protect the employees' retirement benefits and could render the entire legislation void. The better course of action would be to introduce a separate retirement bill as a companion to the main legislation.

(3) Is there any way to enact a fiscal bill in one session? Only twice since enactment of the Public Retirement Systems Standards Law in 1982 have emergencies required exemptions to allow fiscal retirement bills to be enacted in one session. This was done in 1989 and again in 1991. In each instance, a bill was introduced and rushed through the legislative process providing for an exemption from the Public Retirement Systems Standards Law for the needed legislation. The bill was passed and immediately transmitted to the Governor for his approval. Then, with the exception in place, the needed fiscal legislation was introduced and enacted.

(4) How are post retirement cost of living allowances (COLAS) handled? In the E.R.S. and most other retirement systems, the board of trustees was authorized to grant a COLA of up to 3 percent of the retirement benefit in any year, but only if the actuary for the retirement system advised the board that there were sufficient funds to do so without affecting the minimum funding requirements. In years of good investments, a COLA may be appropriate, while in years of investment losses one may not. The attorney general has advised the board of trustees of the T.R.S. that retired members of that system are entitled to an annual COLA of 3 percent without regard to the fiscal position of the retirement system because of a practice of "prefunding" COLAS in the T.R.S. The General Assembly could grant additional COLAS by statute.

(5) What are the employee contribution rates in the major retirement systems? The E.R.S. requires an employee to contribute 1.5 percent of the employee's salary. The T.R.S. requires a contribution set by the board of trustees, which may be between 5 and 6 percent. The L.R.S. requires an employee contribution of 8 1/2 percent. The J.R.S. requires an employee contribution of 10 percent (if surviving spouse benefits were elected).

(6) What laws govern the fiscal soundness of the state's public retirement systems? The Public Retirement Systems Standards Law, O.C.G.A. Chapter 20 of Title 47, establishes the minimum funding standards and the investment authority for public retirement systems, which would include the local county and municipal retirement plans. The law governs the enactment of retirement legislation to ensure that provisions have been made for the concurrent funding of any fiscal impact on a retirement system.

(7) Why are there so many differences in benefits within the same retirement system? There were two reasons for different benefit levels within the same retirement system. From time to time the General Assembly has determined that certain types of employees, because of the nature of their jobs, should be treated differently from other members of the retirement system. Another reason comes from the constitutional prohibition against reducing retirement benefits for current members. In many instances, a law affecting retirement benefits will be made to apply only to persons who become members of the retirement system after the law becomes effective, leaving the current members' provisions unchanged.

(8) What happens if a retirement bill is amended on the floor without the certification of the state auditor? If a floor amendment to a retirement bill was adopted by either chamber, the presiding officer of that chamber must submit the amendment to the state auditor. If the state auditor certified that the amendment is nonfiscal in nature, the bill could proceed. If the state auditor does not so certify, the bill's progress in the legislative process would end.

Chairman Golden and members of the committee thanked Mr. Bundrick for his very thorough overview of the retirement system in Georgia and the special legislative process for retirement bills.

With no further business, Chairman Golden, 8th, adjourned the meeting at 2:45 p.m.

Respectfully submitted,

/s/ Senator Charlie Bethel, 54th, Secretary

/s/ Laurie Sparks, Recording Secretary

MINUTES OF THE SENATE RETIREMENT COMMITTEE
Tuesday, February, 22, 2011

The Senate Retirement Committee held its second meeting of the 2011 Session on Tuesday, February 22, 2011, in room 125 of the Capitol. Chairman Tim Golden called the meeting to order at 2:00 p.m. Members present at the meeting were as follows:

Senator Tim Golden, 30th, Chairman
Senator Fran Millar, 40th, Vice Chairman
Senator Bill Heath, 31st, Ex-Officio

Senator Freddie Powell Sims, 12th
Senator Doug Stoner, 6th

NOTE: Senators Jones, 10th, Bethel, 54th, and Tippins, 37th, were absent from the meeting.

The following bill was discussed:

SB 96 (Golden, 8th) **Peace Officers Annuity/Benefit Fund; certain employees of the Natural Resources Dept. shall be eligible for membership**

Chairman Golden, 8th, presented **SB 96** to the members of the committee. The intent of this bill was to clarify provisions relating to the **Peace Officer's Annuity and Benefit Fund**. Specifically, "peace officer" would be defined as a person employed by this state or a political subdivision of this state that was compensated for at least 32 hours per week to preserve public order; protect life and property, enforce criminal statutes, ordinances and regulations; or detect crimes and had general arrest powers. This bill would delineate that an employee of the Department of Natural Resources who works in the role of a peace officer and who was required to comply with the requirements of the **Georgia Peace Officer Standards and Training Act** was eligible to be a member of the Peace Officer's Annuity and Benefit Fund. Currently, these individuals were members of the fund and were entitled to all of its rights and benefits. This bill was certified as a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Bob Carter, Director, Peace Officer's Annuity and Benefit Fund, spoke in favor of this legislation as a means of putting current policy under Georgia Statute. Questions and concerns were raised by Senators Stoner, 6th, Millar, 40th, and Heath, 31st, on whether this legislation would actually be an expansion of current policy and perhaps open the door for other policy changes with other programs. After much discussion, Chairman Golden, 8th, assigned **SB 96** to subcommittee chaired by Senator Millar, 40th, for further study.

SB 96 Assigned to Subcommittee

With no further business, Chairman Golden, 8th, adjourned the meeting at 3:05 p.m.

Respectfully submitted,

/s/ Senator Tim Golden, 8th, Chairman

/s/ Laurie Sparks, Recording Secretary

MINUTES OF THE SENATE RETIREMENT COMMITTEE
Tuesday, March 1, 2011

The Senate Retirement Committee held its third meeting of the 2011 Session on Tuesday, March 1, 2011, in room 123 of the Capitol. Chairman Tim Golden called the meeting to order at 2:00 p.m. Members present at the meeting were as follows:

Senator Tim Golden, 30th, Chairman
Senator Bill Heath, 31st, Ex-Officio

Senator Freddie Powell Sims, 12th
Senator Doug Stoner, 6th

NOTE: Senators Millar, 40th, Bethel, 54th, Jones, 10th, and Tippins, 37th, were absent from the meeting.

The following bill was discussed:

SB 96 (Golden, 8th) **Peace Officers Annuity/Benefit Fund; certain employees of the Natural Resources Dept. shall be eligible for membership**

Chairman Golden, 8th, stated that he had talked with the Senators who expressed concerns about the legislation personally rather than have a subcommittee hearing on **SB 96**. Chairman Golden felt that they had reached agreement on the intent of the legislation which was to simply clarify provisions relating to the **Peace Officer's Annuity and Benefit Fund**. This bill was certified as a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Bob Carter, Director, Peace Officer's Annuity and Benefit Fund, spoke in favor of this legislation as a means of putting current policy under Georgia statute. Chairman Golden, 8th, asked for a motion on **SB 96**. Senator Stoner, 6th, moved **SB 96 Do Pass**. Senator Powell Sims seconded the motion. The vote was unanimous (4-0) in favor of **SB 96**.

SB 96 DO PASS

NOTE: Yeas were Senators Golden, 8th, Powell Sims, 12th, Stoner, 6th, and Heath, 31st.

Following the vote on this legislation, a presentation was given by **Jim Meynard** regarding the **Georgia Firefighter's Pension Fund**.

With no further business, Chairman Golden, 8th, adjourned the meeting at 2:45 p.m.

Respectfully submitted,

/s/ Senator Tim Golden, 8th, Chairman

/s/ Laurie Sparks, Recording Secretary

MINUTES OF THE SENATE RETIREMENT COMMITTEE
Wednesday, March 23, 2011

The Senate Retirement Committee held its final meeting of the 2011 Session on Wednesday, March 23, 2011, in the Senate Mezzanine of the Capitol. Chairman Tim Golden called the meeting to order at 3:06 p.m. Members present at the meeting were as follows:

Senator Tim Golden, 30th, Chairman
Senator Fran Millar, 40th, Vice Chair
Senator Charlie Bethel, 54th, Secretary

Senator Emanuel Jones, 10th
Senator Doug Stoner, 6th
Senator Lindsey Tippins, 37th

NOTE: Senators Heath, 31st, and Powell Sims, 12th, were absent from the meeting.

The following bills were discussed:

HB 297 (Maxwell, 17th) Retirement and pensions; public systems prohibited from expending fund for certain purposes; provide

Representative Maxwell, 17th, presented **HB 297** to the committee. Representative Maxwell stated that **HB 297** would simply prohibit Georgia's public retirement systems from having an insurable interest in active or retired members of their system. This bill addressed the so called "dead peasant" issue seen in other legislative years and would make sure that no public retirement system would have the authority to expend or obligate funds under its control to purchase life insurance on its members except where all benefits are paid to a member's estate or to a beneficiary designated by the individual member. This bill was certified as a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law. Senator Jones, 10th, was recognized by Chairman Golden with a concern about what falls under the term "insurable interest." Senator Jones wanted to make sure there were no loopholes in that language. Representative Maxwell, 17th, said that he felt the language and intent of the legislation was pretty straight forward. There was no testimony for or against the bill. Chairman Golden, 8th, asked for a motion on **HB 297**. Senator Jones, 10th, moved **HB 297 Do Pass**. Senator Tippins, 37th, seconded the motion. The vote was unanimous (5-0) in favor of **HB 297**.

HB 297 DO PASS

NOTE: Yeas were Senators Millar, 40th, Bethel, 54th, Jones, 10th, Stoner, 6th, and Tippins, 37th.

HB 308 (Maxwell, 17th) Public retirement systems; duties of boards of trustees; provide

Representative Maxwell, 17th, presented **HB 308** to the committee. Representative Maxwell stated that **HB 308** would simply put common law fiduciary duties back in the state statute. This legislation would clarify that the duties of the boards of the trustees of public retirement systems, as outlined in Title 47 of the O.C.G.A., were in addition to the common law duties of a trustee as outlined in Title 53 of the O.C.G.A. This bill was certified as a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law. There was no testimony for or against the bill. Chairman Golden, 8th, asked for a motion on **HB 308**. Senator Jones, 10th, moved **HB 308 Do Pass**. Senator Tippins, 37th, seconded the motion. The vote was unanimous (5-0) in favor of **HB 308**.

HB 308 DO PASS

NOTE: Yeas were Senators Millar, 40th, Bethel, 54th, Jones, 10th, Stoner, 6th, and Tippins, 37th.

HB 293 (Benton, 31st) Retirement bills; define a certain term

Representative Benton, 31st, presented **HB 293** to the committee. Representative Benton stated the intent of this legislation was to revise the definition of the phrase “retirement bill having a fiscal impact” to include any bill or amendment which granted to a public retirement system, or which authorized or directed a public retirement system to expend or obligate in any way funds under the control of such retirement system, to purchase life insurance for its members. This bill was certified as a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law. There was no testimony for or against the bill. Chairman Golden, 8th, asked for a motion on **HB 293**. Senator Tippins, 37th, moved ***HB 293 Do Pass***. Senator Jones, 10th, seconded the motion. The vote was unanimous (5-0) in favor of **HB 293**.

HB 293 DO PASS

NOTE: Yeas were Senators Millar, 40th, Bethel, 54th, Jones, 10th, Stoner, 6th, and Tippins, 37th.

NOTE: Chairman Golden, 8th, stated that he would be the Senate sponsor for **HB 297**, **HB 308**, and **HB 293**.

With no further business, Chairman Golden, 8th, adjourned the meeting at 3:48 p.m.

Respectfully submitted,

/s/ Senator Charlie Bethel, 54th, Secretary

/s/ Laurie Sparks, Recording Secretary

MINUTES OF THE SENATE RETIREMENT COMMITTEE
Wednesday, May 4, 2011

The Senate Retirement Committee held a joint meeting with the House Retirement Committee Wednesday, May 4, 2011; in room 506 of the CLOB to determine which fiscal retirement bills would be sent forward for study. The Chairmen of each committee, Senator Tim Golden, 8th, and Representative Howard Maxwell, 17th, called the meeting to order at 10:15 a.m. Senate members present at the meeting were as follows:

Senator Tim Golden, 30th, Chairman
Senator Fran Millar, 40th, Vice Chair
Senator Charlie Bethel, 54th, Secretary

Senator Bill Heath, 31st, Ex-Officio
Senator Freddie Powell Sims, 12th
Senator Lindsey Tippins, 37th

NOTE: Senators Jones, 10th, and Stoner, 6th, were absent from the meeting.

Chairman Golden, 8th, and **Chairman Maxwell, 17th**, explained the Senate and House Retirement Committees decided to meet together to consider which bills to forward for studies to determine their cost and impact on the various retirement systems because the cost per study, paid from the General Fund, averages \$5,000. The cost to the taxpayers of Georgia for studies from Sessions starting in 2005 through 2009 was \$368,657. Being intentionally selective about what bills to send forward for study was fiscally responsible and would save the State the cost of the study. The decisions made during this meeting were not a reflection on the merits of any bill not selected for study. Simply, decisions would be made because the responsibility as Chairmen of the Committee and the obligation of committee members was to do whatever was necessary to maintain the integrity of each of the State's retirement systems. That being said, the following Senate fiscal retirement bills were discussed, voted upon, and sent forward for actuarial study:

SB 286 (Heath, 31st) Retirement; tax commissioner or an employee of any such officer; membership; Employees' Retirement System of Georgia

Senator Heath, 31st, presented **SB 286** to the members of the Senate Retirement Committee. This bill would amend provisions relating to membership of certain county revenue employees in the Employees' Retirement System. Specifically, this bill would affect persons who first or again become a tax commissioner, tax collector, tax receiver, or employee of such officer on or after July 1, 2012. If this legislation is enacted, such persons would be prohibited from becoming members of the ERS. Any member who is employed in such position prior to such date would remain a member of the System, provided there is no break in service, and the reelection of any officer does not constitute a break in service.

Chairman Golden asked for a motion on **SB 286**. Senator Bethel, 54th, moved **SB 286 be sent forward for actuarial study**. Senator Powell Sims, 12th, seconded the motion. **SB 286** passed forward for study unanimously (5-0).

SB 286 SENT FORWARD FOR ACTUARIAL STUDY

SB 246 (Hill, 4th) Retirement; provide an increase in the employee contribution; retirement benefit; conditions

Chairman Golden, 8th, presented **SB 246** to the members of the Senate Retirement Committee on behalf of the author of the legislation. He stated that this bill would amend provisions relating to employee contributions and retirement benefits under the Public School Employees Retirement System. Specifically, this bill would increase the employee contribution for all persons who become a member of the System on or after July 1, 2012 from \$4.00 per month to \$10.00 per month. Additionally, this bill would increase the monthly retirement benefit from \$15.00 per month multiplied by the member's years of service to \$16.00 per month. Finally, this bill would increase the minimum retirement benefit that could be paid from \$12.00 per month to \$14.75 per month multiplied by the member's years of service.

Chairman Golden asked for a motion on **SB 246**. Senator Bethel, 54th, moved ***SB 246 be sent forward for actuarial study***. Senator Powell Sims, 12th, seconded the motion. **SB 246** passed forward for study unanimously (5 -0).

SB 246 SENT FORWARD FOR ACTUARIAL STUDY

With no further business, Chairman Golden, 8th, adjourned the meeting at 11:48 a.m.

Respectfully submitted,

/s/ Senator Charlie Bethel, 54th, Secretary

/s/ Laurie Sparks, Recording Secretary

April 14, 2011

Honorable Bob Ewing
Secretary of the Senate
State Capitol
Room 353
Atlanta, GA 30334

Dear Mr. Ewing:

Along with the minutes of the **Senate Retirement Committee**, I am returning the following Bills:

[SB 242](#)

[SB 246](#)

[SB 286](#)

[SB 287](#)

Respectfully submitted,

/s/ Laurie Sparks
Recording Secretary
Senate Retirement Committee