

SECOND REPORT ON INTENT TO AMEND RULES

Department of the Treasury

Board of Trustees of the Louisiana State Employees' Retirement System

Election to the Board of Trustees (LAC 58:I.405 and 407)

The Department of the Treasury, Board of Trustees of the Louisiana State Employees' Retirement System ("LASERS") proposes to amend LAC 58:I.405 and 407. The rule amendments facilitate which members are to receive an active member ballot and remove a redundancy, so that the single place for event dates is in the general schedule of elections set forth in §401. Further, these rule amendments clarify that the limit of two trustees per department within the executive branch of state government is limited to active trustees and excludes *ex officio* trustees. The notice of intent to amend these rules was published on May 20, 2015. In that notice of intent, interested persons were given until 4:30 pm, June 26, 2015 to submit written comments on the proposed changes.

LASERS reports the following:

- No parties submitted a request for an opportunity for an oral presentation or argument on the proposed rule changes.
- No parties submitted comments on the proposed rule changes.
- No parties submitted a request for further information on the proposed rule changes.
- Absent a request for oral presentation or argument, no public hearing was held on the proposed rule changes.
- Absent a public hearing, no comments or testimony on the proposed rule changes were received.
- Absent comments or testimony on the proposed rule changes, LASERS has prepared no response to same.
- Absent comments or testimony on the proposed rule changes, LASERS has prepared no statement of tentative or proposed action.
- Absent comments or testimony on the proposed rule changes, LASERS has made no revision of the proposed rule changes since the initial report to the legislature.

Cindy Rougeou
Executive Director

NOTICE OF INTENT

Department of Treasury Board of Trustees of the Louisiana State Employees' Retirement System

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(LAC 58:I.405 and 407)

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Title 58

RETIREMENT

Part I. Louisiana State Employees' Retirement System Chapter 4. Rules Common to the Election of Both Active and Retired Member Trustees

§405. Election Process

[Formerly LAC 58:I.303.C-I and 503.C-J]

A. Active Members. Ballots or election brochures shall be distributed to each active member by the fourth Friday in September. This includes active members who are not deemed by LASERS to be retired before July 1 of the year in which the election is to take place and participants in the DROP program who have not terminated service.

B. ...

C. There shall be a drawing as set forth in LAC 58:I.401 in the retirement systems building, 8401 United Plaza Boulevard, Baton Rouge, LA, to determine the position each candidate shall have on the ballot or election brochure.

D. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:511 and R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), amended LR 23:996, 997 (August 1997), LR 25:1278 (July 1999), LR 26:1490 (July 2000), LR 26:2633 (November 2000), LR 31:946, 947 (April 2005), LR 34:446, 447 (March 2008), LR 37:1616 (June 2011), LR 39:119 (January 2013), LR 41:

§407. Winning Candidates

[Formerly LAC 58:I.303.B and G, 501.A and 503.H]

A.1. - B. ...

C. No department in the executive branch of state government may have more than two active trustees serving on the board at the same time. *Ex officio* trustees and their designees do not count toward this limit.

D. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:511 and R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), amended LR 23:996, 997 (August 1997), LR 25:1278 (July 1999), LR 26:1490 (July 2000), LR 26:2633 (November 2000), LR 31:946, 947 (April 2005), LR

34:446, 447 (March 2008), LR 37:1616 (June 2011), LR 39:119 (January 2013), LR 41:

Family Impact Statement

The proposed Rule changes are not anticipated to have an impact on family formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule changes are not anticipated to have an impact on poverty as described in R.S. 49:973.

Small Business Statement

The proposed Rule changes are not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule changes are not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons may submit written comments on the proposed changes until 4:30 pm, June 26, 2015 to Steve Stark, Board of Trustees for the Louisiana State Employees' Retirement System, P.O. Box 44213, Baton Rouge, LA 70804.

Cindy Rougeou
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Election to the Board of Trustees

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will have no impact on state or local government expenditures. The proposed rule change makes several technical changes. The rule change clarifies voting eligibility for active members as those who are not retired before July 1 of the election year. The rule change removes the date of the drawing for positions on the election ballot since that is mentioned in the rule regarding the general schedule of elections. Finally, the rule change clarifies that there is a limit of two active trustees per department within the executive branch and excludes *ex-officio* trustees.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no effect on revenue collections of state or local governmental units as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change may affect candidates for election to the LASERS board of trustees as a result of clarifying that a department within the executive branch may have no more than two active trustees serving on the board. This would exclude *ex-officio* members.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.

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