

1 HB308
2 172839-2
3 By Representatives Alexander, Robinson, Carns, Drake, Garrett,
4 Coleman, Scott, Rogers and Moore (M) (N & P)
5 RFD: Jefferson County Legislation
6 First Read: 24-FEB-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Jefferson County and the General
14 Retirement System for Employees of Jefferson County; to amend
15 Section 2, Article II, 2.2(b)(1) of Act 2013-415, 2013 Regular
16 Session (Acts 2013, p. 1586), now appearing as Section
17 45-37-123.21 of the Code of Alabama 1975, as amended by Act
18 2015-211; to require that Member Number One of the Pension
19 Board shall have a minimum of 10 years' experience in an
20 executive capacity in insurance, investment
21 management/consultant, or actuarial work.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 2, Article II, 2.2(b)(1), of Act
24 415 of the 2013 Regular Session (Acts 2013, p. 1586), now
25 appearing as Section 45-37-123.21 of the Code of Alabama 1975,
26 as amended by Act 2015-211, is amended to read as follows:

27 "§45-37-123.21.

1 "§45-37-123.21.

2 "(a) General administration. The role of the pension
3 board is established by the State of Alabama through
4 legislative act. The pension board is responsible for the
5 general administration and proper operation of the plan. The
6 pension board also is responsible for making effective the
7 provisions of the act.

8 "(b) Composition of pension board. The pension board
9 is comprised of five members, designated respectively as
10 member number one, member number two, member number three,
11 member number four, and member number five.

12 "(1) MEMBER NUMBER ONE. Member number one shall be
13 appointed by the governing body of the county and shall serve
14 as chairman of the pension board. Member number one shall have
15 a minimum of 10 years' experience in an executive capacity in
16 insurance, investment management/consultant, or actuarial
17 work. The initial term of member number one shall be for one
18 year; and thereafter the term of member number one shall be
19 for three years.

20 "(2) MEMBER NUMBER TWO. Member number two shall be
21 appointed by the judge of probate, who is an elected official
22 of the county. Member number two shall have a minimum of 10
23 years' experience in an executive capacity in investing or
24 banking. The initial term of member number two shall expire at
25 the end of two years; and thereafter the term of member number
26 two shall be for three years.

1 "(3) MEMBER NUMBER THREE. Member number three shall
2 be elected by the Jefferson County Personnel Board. The
3 initial term of member number three shall expire at the end of
4 three years; and the term of member number three shall be for
5 three years.

6 "(4) MEMBERS NUMBER FOUR and FIVE. Member number
7 four and member number five shall be elected by the active and
8 retired members of the system. Member number four shall be a
9 retired member of the system. The initial term of member
10 number four shall be for one year; and thereafter the term of
11 member number four shall be for three years. Member number
12 five shall be elected for terms of three years.

13 "(c) Procedure for the election of board members
14 four and five and selection of the election board.

15 "(1) Elections of member number four and member
16 number five shall be conducted by separate ballot.

17 "(2) The active and retired members of the system
18 shall elect member number four and member number five. The
19 election shall be held at the annual meeting of the members of
20 the system provided for in Section 45-37-123.22(b)(14), or at
21 a special meeting called for that purpose; provided that there
22 shall be no such election at a special meeting unless the
23 pension board has given at least 15 days' written notice of
24 the time and place of the election by posting the same in at
25 least three prominent places in the county courthouse and by
26 delivering three copies of the same to each elected official
27 of the county to enable these officials to inform their

1 employees of the election; however, the failure of any elected
2 official to inform his or her employees of the election shall
3 not invalidate the election.

4 "(3) The elections of member number four and member
5 number five shall be supervised by three active members of the
6 system serving as the election board. The members that serve
7 as the election board shall be appointed by the active members
8 and retired members at the annual meeting as provided for in
9 Section 45-37-123.22(b) (14). If the active members and retired
10 members fail to appoint members to the election board, the
11 pension board shall appoint the members of the election board.
12 The pension board shall have the authority to prescribe
13 additional rules and regulations for the elections of member
14 number four and member number five not inconsistent with the
15 provisions hereof.

16 "(d) Vacancy, how filled. If a vacancy occurs on the
17 pension board, such vacancy shall be filled for the unexpired
18 term in the same manner as the office was previously filled.

19 "(e) Resignation or removal of pension board member.
20 A member of the pension board may resign by delivering a
21 written resignation to the pension board or be removed by the
22 pension board by delivery of written notice of removal, to
23 take effect at a date specified therein, or upon delivery to
24 the pension board if no date is specified.

25 "(f) Secretary. The secretary of the board shall be
26 the director of personnel of the county, or his or her
27 designated agent; however, in the event that the director of

1 personnel fails to act as secretary and fails to appoint an
2 agent to serve such role, then the pension coordinator shall
3 serve as the secretary.

4 "(g) Salary and expenses. The members of the pension
5 board and the secretary shall serve without pay, but shall be
6 reimbursed for expenses actually paid or incurred in the
7 discharge of their official duties, and shall suffer no loss
8 of salary or wages, if employed by the county, through service
9 on the board or as secretary thereof."

10 Section 2. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.