

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 1169

Short Title: Retirement System/Board of Trustees.

(Public)

Sponsors: Representative Bell.

Referred to: Pensions and Retirement.

April 10, 2003

A BILL TO BE ENTITLED  
AN ACT TO CHANGE THE COMPOSITION OF THE BOARDS OF TRUSTEES  
FOR THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM  
AND THE LOCAL GOVERNMENTAL EMPLOYEES' SYSTEM.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 128-28(c) reads as rewritten:

"(c) Members of Board. – The Board shall consist of ~~the Board of Trustees of the Teachers' and State Employees' Retirement System, and three local governmental officials~~ seven members designated by the ~~Governor.~~ Governor:

- (1) ~~One local governmental official~~ member shall be a mayor, ~~or a member of the governing body, or a full-time officer~~ of a city or town participating in the Retirement ~~System,~~ System;
- (2) ~~and one local governmental official~~ One member shall be a county commissioner ~~or a full-time officer~~ of a county participating in the Retirement ~~System,~~ System;
- (3) ~~and one local governmental official~~ One member shall be a law-enforcement officer employed by an employer participating in the Retirement System:
- (4) One member shall be an active employee of a city or town participating in the Retirement System;
- (5) One member shall be a retired employee of a city or town participating in the Retirement System;
- (6) One member shall be an active managerial employee of a city or town participating in the Retirement System; and
- (7) One member shall be a member of the general public.

The Governor shall designate these ~~three local governmental officials~~ seven members on April 1 of years in which an election is held for the office of Governor, or as soon thereafter as possible, and the ~~three local governmental officials~~ members designated by the Governor shall serve on the Board in addition to the regular duties of

1 their city, town, or county office: Provided, that if for any reason any ~~local~~  
2 ~~governmental official so designated~~ member appointed pursuant to subdivisions (1)  
3 through (6) of this subsection vacates the city, town, or county office which he held at  
4 the time of this designation, the Governor shall designate ~~some other local~~  
5 ~~governmental official~~ another member to serve until the next regular date for the  
6 designation of ~~local governmental officials~~ members to serve on the Board."

7 **SECTION 2.** G.S. 135-6 reads as rewritten:

8 "(b) Membership of Board; Terms. – The Board shall consist of 44 10 members,  
9 as follows:

- 10 (1) The State Treasurer, ex officio;  
11 (2) The Superintendent of Public Instruction, ex officio;  
12 (3) Ten members to be appointed by the Governor and confirmed by the  
13 Senate of North Carolina. One of the appointive members shall be a  
14 member of the teaching profession of the State; ~~one of the appointive~~  
15 ~~members shall be an employee of the Board of Transportation, who~~  
16 ~~shall be appointed by the Governor for a term of four years~~  
17 ~~commencing April 1, 1947, and quadrennially thereafter;~~ one of the  
18 appointive members shall be a representative of higher education  
19 appointed by the Governor for a term of four years commencing July  
20 1, 1969, and quadrennially thereafter; one of the appointive members  
21 shall be a retired teacher who is drawing a retirement allowance,  
22 appointed by the Governor for a term of four years commencing July  
23 1, 1969, and quadrennially thereafter; one shall be a retired State  
24 employee who is drawing a retirement allowance, appointed by the  
25 Governor for a term of four years commencing July 1, 1977, and  
26 quadrennially thereafter; one to be a general State ~~employee, and three~~  
27 ~~who are not members of the teaching profession or State employees;~~  
28 ~~two to be appointed for a term of two years, two for a term of three~~  
29 ~~years and one for a term of four years;~~ employee; one appointive  
30 member shall be a law-enforcement officer employed by the State,  
31 appointed by the Governor, for a term of four years commencing April  
32 1, 1985. At the expiration of these terms of office the appointment  
33 shall be for a term of four years;  
34 (4) Two members appointed by the General Assembly, one appointed  
35 upon the recommendation of the Speaker of the House of  
36 Representatives, and one appointed upon the recommendation of the  
37 President Pro Tempore of the Senate in accordance with G.S. 120-121.  
38 Neither of these members may be an active or retired teacher or State  
39 employee or an employee of a unit of local government. The initial  
40 members appointed by the General Assembly shall serve for terms  
41 expiring June 30, 1983. Thereafter, their successors shall serve for  
42 two-year terms beginning July 1 of odd-numbered years. Vacancies in  
43 appointments made by the General Assembly shall be filled in  
44 accordance with G.S. 120-122."

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**SECTION 3.** This act becomes effective April 1, 2004.