

**Municipal Police Employees' Retirement System  
Minutes of the Legislative Committee Meeting  
October 7, 2021**

The Legislative Committee of the Municipal Police Employees' Retirement System held a Meeting on Thursday, October 7, 2021, via audio/video conference due to the public health emergency declared in response to the threat presented by COVID-19.

**A. Call to Order**

The meeting was called to order by Mr. Ray Burkart at 10:06 a.m.

**B. Roll Call**

**Members Present**

Maj. Raymond Burkart, Jr, Chairman  
Chief G. Scott Ford  
Chief Michael Glaser

**Members Absent**

Mayor Greg Cromer

**Others Present**

Mr. Benjamin Huxen II, MPERS Executive Director and General Counsel  
Ms. Ashlee McNeely, MPERS, Executive Management Officer  
Mr. Joey David, House of Representatives  
Mr. Kenny Herbold, Louisiana Legislative Auditor, Director of Actuarial Services  
Ms. Taylor Camp, MPERS, Chief Financial Officer  
Mr. Richard Williams, LMA  
Mr. Greg Curran, Actuary, G.S. Curran & Co

**C. Public Comment**

Mr. Huxen called for public comments. There were no public comments.

**D. Regular Business**

1. Approval of the November 14, 2018, Committee Meeting Minutes

**Motion by Mr. Burkart, seconded by Mr. Ford, to approve the minutes of the meeting held November 14, 2018. Without objection, the motion carried.**

## **E. New Business**

### **1. Discussion and Action Regarding Legislation to be Proposed for the 2022 Regular Session**

Mr. Huxen stated that MPERS met with Louisiana Municipal Association (LMA) and the Louisiana Association of Chiefs of Police (LACP) and there were currently two bills to consider

The first one was similar to HB35 of 2021 by Representative Chuck Owen which was withdrawn from the House. The bill would serve two purposes, creating a funding deposit account and a cost-of-living (COLA) prefunding account. Mr. Huxen stated that Mr. Curran was interested in pushing the bill forward after his study revealed that MPERS could have to start charging employers an extra 8% a year in employer contributions to prefund COLAs. Mr. Huxen recommended MPERS move forward based on favorable discussions with LMA.

Mr. Williams explained that once a final bill was done LMA's Legislative Committee would review the final bill and determine whether to give approval. LMA is insistent on keeping the maximum funding for COLAs at 0.85% and no more. Mr. Huxen stated that the bill needs LMA's support to pass.

**Motion by Mr. Ford, seconded by Mr. Glaser, that the committee recommend that the board advertise and seek authors for a 2022 Regular Legislative Session bill to establish both a funding deposit account and a cost-of-living adjustment pre-funding account, as described in #1 of the attachment hereto entitled "MPERS PROPOSED LEGISLATION FOR THE 2022 REGULAR SESSION – FOR DISCUSSION PURPOSES ONLY- PREPARED BY BEN HUXEN," contingent of the support of the Louisiana Municipal Association. Without objection, the motion carried.**

Mr. Huxen explained that the second bill provided for certain exceptions to the retire/rehire process. He informed the committee that MPERS met with LMA. He stated that LMA wanted smaller municipalities to be able to rehire police officers within 24 months of their retirement and allow those rehired officers to work up to 100 hours per month without their benefits reduced. Mr. Huxen stated that this would give the smaller municipalities access to experienced police officers that are becoming hard to get due to increased training requirements for police officers.

Mr. Huxen explained that the police officer and the employer would pay their contributions. Upon termination of this service, the police officers would



have their employee contributions refunded but the employer contributions would remain with the system to help offset the UAL.

Mr. David asked if a salary cap would be set. Mr. Huxen stated that the issue was discussed but that it was difficult to administer. Mr. Curran stated that a cap on salaries would help to limit the use of retired officers in place of hiring new officers. Mr. Williams expressed concern that mayors of small municipalities be required to enforce a salary cap. Mr. Huxen stated for that reason they elected to use a cap on hours worked. Mr. Burkhart expressed concern that a salary cap could be a challenge given civil service rules.

Mr. Huxen explained that the bill would allow retirees with 30 years of service credit to work part-time or full-time in a non-police position. Mr. Huxen reminded the committee that if they return to work full-time then they must reenroll into the retirement plan, but their benefits would not be reduced. The retirees could also work as an elected official other than a police chief without having their benefits reduced. Mr. Huxen stated that this could encourage members to achieve 30 years of service credit.

The bill also states that the retiree must be retired for at least two months before returning to work without a reduction in benefits.

Mr. Curran stated that it's almost impossible to determine how much a bill related to the rehire of retirees would cost, but any cost would be shared by all of the participating municipalities. He explained that although some mayors may use many rehired retirees and others may not at all, the cost impact would be shared evenly. Mr. Curran suggested that extending the two-month separation period would help to minimize the number of people who may decide to retire early and then apply for rehire.

Mr. Huxen stressed the importance of LMA's support of the bill. Mr. Burkart expressed the importance of support from the LACP.

Mr. Glaser explained that several chiefs spoke against the existing law. He stated that the bill, as written, would likely get support from the LACP.

**Motion by Mr. Ford, seconded by Mr. Glaser, that the committee recommend that the board advertise and seek authors for a 2022 Regular Legislative Session bill to provide for certain exceptions to the retire-rehire provisions under R.S. 11:2220(J), as described in #2 of the attachment hereto entitled "MPERS PROPOSED LEGISLATION FOR THE 2022 REGULAR SESSION – FOR DISCUSSION PURPOSES ONLY- PREPARED BY BEN HUXEN," contingent on the support of the Louisiana Municipal Association and the Louisiana Association of Chiefs of Police. Without objection, the motion carried.**

**F. Other Business**

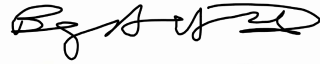
Ms. Glaser would schedule a board meeting before December regarding the retire/rehire process with the LACP. The final draft of the bill should be out by early February. Mr. Williams stated that LMA would meet in December and then again in February. MPERS would discuss the bill again prior to the December meeting.

Mr. Curran, who was not present at the beginning of the meeting, asked whether the committee or LMA would be opposed to him bringing the COLA prefunding account concept to the Firefighters' Retirement System and Municipal Employees Retirement System. Mr. Huxen explained that their bill was being drafted only for MPERS. Mr. Curran expressed favor for the three municipal systems all considering similar provisions, especially given the likelihood that they will all be allowed to grant a COLA after the 2021 valuations. Mr. Williams expressed some concern about the added cost of doing this for all three systems. Mr. Curran reminded the group that if he decided that it was necessary to account for future COLAs, the cost to the employers would be much greater. He stated that the limitation in the bill was actually meant to limit the added cost. Mr. Williams stated that the LMA staff would discuss the matter further.

**G. Adjourn**

**A motion was made by Mr. Ford, seconded by Mr. Burkart, to adjourn the meeting at 10:55 p.m. Without objection, the motion carried.**

To the best of my knowledge, the foregoing minutes accurately represent the actions taken at the meeting held October 7, 2021.

  
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Raymond Burkart, Jr  
Legislative Committee Chairman  
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Ben Huxen,  
Executive Director and General Counsel