

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

Person Preparing Statement:
Denise Nelson Akers

Department: Treasury

Phone: 225-767-1003

Office: Louisiana State Police Retirement System

Return Address: 8280 YMCA Plaza Dr.
Bldg 8-C
Baton Rouge, LA 70810

Rule Title: Procedures for Election of Louisiana
State Police Retirement System Trustees

Date Rule Takes Effect: _____

SUMMARY

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. The following summary statements, based on the attached worksheets, will be published in the Louisiana Register with the proposed agency rule.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITES (summary)

There will be no implementation costs to state or local governmental units as a result of the proposed rule change. The proposed rule codifies the current practice of governing elections into rule. The State Police Retirement System has conducted elections in the same manner since its inception and the rule change will reflect the current way elections are conducted.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITES (summary)

These regulations will have no impact on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (summary)

There are no estimated costs and/or economic benefits that should affect any persons or nongovernmental group as a result of these rules.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (summary)

There is no estimated impact on competition and employment as a result of these rules.

Irwin L. Felps, Jr.
Signature of Agency Head or Designee

Evan Brasel, Staff Director
Legislative Fiscal Officer or Designee

Irwin L. Felps, Director
Typed Name and Title of Agency Head or Designee

August 4, 2016
Date of Signature

8/9/16
Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberations on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the Notice of Intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The Rule provides a mechanism the govern elections of the Board of Trustees.

- B. Summarize the circumstances which require this action. If the action is required by federal regulations, attach a copy of the applicable regulation.

The Board simply exercises its authority pursuant to La. R.S. 11:1302(B) to propound rules governing the election of the Board of Trustees.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session. Will the proposed rule change the result in any increase in the expenditure of funds? If so, specify the amount and source funding.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

- a. _____ Yes. If yes, attach documentation.
b. _____ No. If no, provide justification as to why this rule change should be published at this time.

FISCAL AND ECONOMIC IMPACT STATEMENT WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 16-17	FY 17-18	FY 18-19
PERSONAL SERVICES	0	0	0
OPERATING EXPENSES	0	0	0
PROFESSIONAL SERVICES	0	0	0
OTHER CHARGES	0	0	0
EQUIPMENT	0	0	0
TOTAL	0	0	0
MAJOR REPAIR & CONSTRUCTION	0	0	0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings show in "A.1," including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

LSPRS has necessarily been conducting elections for its board of trustees since inception. It is now placing these rules before the public seeking to codify them in the Administrative Code. The mere insertion in the Administrative Code does not add any additional cost over what the system has incurred routinely for the election proceedings.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCES	FY 16-17	FY 17-18	FY 18-19
STATE GENERAL FUND	0	0	0
AGENCY SELF-GENERATED	0	0	0
DEDICATED	0	0	0
FEDERAL FUNDS	0	0	0
OTHER (Specify)	0	0	0
TOTAL	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

No impact.

2. Indicate the sources of funding of the local government unit which will be affected by these costs or savings.

Not applicable

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENT UNITS

- A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 16-17	FY 17-18	FY 18-19
STATE GENERAL FUND	0	0	0
AGENCY SELF-GENERATED	0	0	0
DEDICATED	0	0	0
FEDERAL FUNDS	0	0	0
LOCAL FUNDS	0	0	0
TOTAL	0	0	0

* Specify the particular fund being impacted

- B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

Not applicable

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

Not applicable.

- B. Also, provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

None expected.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

None anticipated.

NOTICE OF INTENT

Department of Treasury Board of Trustees for the State Police Retirement System

Election Procedures, Ballots, Tabulations, Oath of Office,
Vacancy (LAC 58:IX.Chapter 3)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Trustees for the Louisiana State Police Retirement System has approved for advertisement these rules for the election procedure for the system's board of trustees. The proposed Rules are being adopted pursuant to R.S. 11:1302(B) which provides that the board of trustees shall promulgate rules that govern the election of members of the board. This intended action by the Louisiana State Police Retirement System complies with statutory law administered by the agency. A preamble to this proposed action has not been prepared.

Title 58

RETIREMENT

Part IX. State Police Retirement System

Chapter 3. Procedures For Election of Louisiana State Police Retirement System Trustees

§301. General Election Procedures

A. The director shall issue to the Louisiana State Police Retirement System membership a notice of each trustee office to be filled in the following timeframe:

1. between the first Monday in August and the third Monday in August, for a position with term ending December 31st;

2. between the first Monday in February and the third Monday in February, for a position with term ending June 30th, via mail, with qualifying form attached and placed on the website, such form to require applicant's name, date started in system, and for which seat the applicant is qualifying.

B. Candidates shall submit in writing to the director their intention to run for a specified office between in the following timeframe:

1. the fourth Monday in August and the second Monday in September, for a position with term ending December 31st, and

2. the fourth Monday in February and the second Monday in March, for a position with term ending June 30th.

C. The board of trustees shall designate a qualifying form. The designated qualifying form shall be posted on the website and/or mailed to the member.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:1302(B).

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees for the State Police Retirement Fund, LR 42:

§303. Ballots, Count, Tabulation, Posing, Oath of Office

A. The director shall compile a ballot for each office to be filled. Ballots shall be mailed to the membership at their home address in the following timeframe:

1. beginning the fourth Monday of September through the second Monday of October, for a position with term ending December 31st

2. beginning the fourth Monday of March through the second Monday of April for a position with term ending June 30th.

a. The ballots shall be issued to members who are eligible to vote for this particular candidate pursuant to R.S. 11:1302 ("qualified member") as of September 1 of that year; and

b. the member must be a qualified member as of the date the System counts the ballot in order for that member's ballot to be counted.

c. In addition to the ballot the director shall mail an envelope in which to enclose the ballot, on which the qualified member must sign his or her name, and a return envelope for the sealed ballot to be returned to 9224 Jefferson Hwy, Baton Rouge, LA 70809 and instructions.

d. The director shall inform each member in this mailing that results of the vote shall be promulgated on the system's website in late November or early December (for a position with term ending December 31st) or late May or early June (for a position with term ending June 30th).

e. Voted ballots shall be accepted through the fourth Monday in October at 4:30 p.m. (for a position with term ending December 31st) or through the fourth Monday in April at 4:30 pm (for a position with term ending June 30th).

f. A date and time shall be placed on each ballot envelope received by the director across the envelope flap.

B. Ballots shall be held inviolate by the director.

1. The director shall call a special meeting of the retirement staff, and notify the public by placing notice on the LSPRS website that anyone may attend, at which time the retirement staff shall count and tabulate ballots between November 1 and December 10th (for a position with term ending December 31st) and between May 1 and June 10th (for a position with term ending June 30th)

2. The director shall ensure that the board and the candidates are informed of the results of the vote thereafter. At next board meeting, the board of trustees shall announce the results.

C. The director shall issue to the elected trustee an oath of office.

1. The trustee shall take the oath at the first board meeting of the year in which the Trustee takes office.

a. The oath shall contain a term of office effective January 1st of this year for a position ending December 31st and effective July 1st for a position ending June 30th.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:1302(B).

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees for the State Police Retirement Fund, LR 42:

§305. Vacancy

A. Should a vacancy occur, the board shall hold a special election as soon as reasonably possible to fill this unexpired seat.

1. If the unexpired term of office for this seat is less than two years from the date the election results are expected, the election shall be for the unexpired term of office and for the next five year term.

2. If the unexpired term of office for this seat is two years or greater from the date the election results are expected, then the election shall be for the unexpired term of office only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:1302(B).

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees for the State Police Retirement Fund, LR 42:

Family Impact Statement

The proposed rule for the election of the Louisiana State Police Retirement System should not have any known or foreseeable impact on any family as defined by R.S. 49:972 or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children; or
6. the ability of the family or a local government to perform the function as contained in the proposed Rules.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of the proposed rules has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973. Specifically, there should be no known or foreseeable effect on:

1. household income, assets, and financial security.
2. early childhood development and preschool through postsecondary education development.
3. employment and workforce development.
4. taxes and tax credits.
5. child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed rules to Kim Gann, Assistant Director of the Louisiana State Police Retirement System by mail to Louisiana State Police Retirement System, 9224 Jefferson Hwy., Baton Rouge, LA 70809. All comments must be received no later than October 15, 2016.

Irwin L. Phelps
Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Election Procedures, Ballots,
Tabulations, Oath of Office, Vacancy**

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

There will be no implementation costs to state or local governmental units as a result of the proposed rule change. The

proposed rule codifies the current practice of governing elections into rule. The State Police Retirement System has conducted elections in the same manner since its inception and the rule change will reflect the current way elections are conducted.

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

These regulations will have no impact on revenue collections of state or local governmental units.

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There are no estimated costs and/or economic benefits that should affect any persons or nongovernmental group as a result of these rules.

- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated impact on competition and employment as a result of these rules.

Irwin L. Phelps
Director
1608#051

Evan Brasseaux
Staff Director
Legislative Fiscal Office

**Title 58
RETIREMENT**

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C. The board of trustees shall designate a qualifying form. The designated qualifying form shall be posted on the website and/or mailed to the member.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:1302(B).

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2. If the unexpired term of office for this seat is two years or greater from the date the election results are expected, then the election shall be for the unexpired term of office only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:1302(B).

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees for the State Police Retirement Fund, LR 42:

Denise N. Akers
denise@akerswisbar.com
Rebecca K. Wisbar
rebecca@akerswisbar.com

Sydney B. Nelson
Of Counsel
Darrell J. Loup
Of Counsel

AW
Akers & Wisbar
A LIMITED LIABILITY COMPANY

8280 YMCA Plaza Drive | Building 8-C | Baton Rouge, Louisiana 70810
Phone (225) 767-1003 | Fax (225) 767-2280

August 10, 2016

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED and U.S. MAIL

The Honorable Barrow Peacock
Chairman, Senate Retirement Committee
P.O. Box 94183
Baton Rouge, LA 70804

Re: Louisiana State Police Retirement System ("LSPRS")
Our File No.: 09-1154

Dear Senator Peacock:

For the review of your committee, and on behalf of Louisiana State Police Retirement System ("LSPRS"), I provide this report to your committee in conformity with La. R.S. 49:968(B)(15)(b) which requires LSPRS to provide notice of its proposed rule change.

Copies of the Notice of Intent and the corresponding Fiscal and Economic Impact Statement approved by the Legislative Fiscal Office are enclosed for your reference. If you have any questions, please contact me at the phone number listed above.

With kindest regards, I remain

Sincerely,

AKERS & WISBAR, LLC



Denise Nelson Akers

DNA/cjb
Enclosure

Cc: Irwin L. Felts, Jr.; Kimberly A. Gann

Denise N. Akers
denise@akerswisbar.com
Rebecca K. Wisbar
rebecca@akerswisbar.com

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AW
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A LIMITED LIABILITY COMPANY

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Phone (225) 767-1003 | Fax (225) 767-2280

August 10, 2016

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED and U.S. MAIL

The Honorable John A. Alario, Jr.
President of the Louisiana Senate
PO Box 94183
Baton Rouge, LA 70804

Re: Louisiana State Police Retirement System ("LSPRS")
Our File No.: 09-1154

Dear Senator Alario:

For the review of your retirement committee, and on behalf of Louisiana State Police Retirement System ("LSPRS"), I provide this report to you in conformity with La. R.S. 49:968(B) which requires LSPRS to provide notice of its proposed rule change.

Copies of the Notice of Intent, Proposed Rule, and the corresponding Fiscal and Economic Impact Statement approved by the Legislative Fiscal Office are enclosed for your reference. If you have any questions, please contact me at the phone number listed above.

With kindest regards, I remain

Sincerely,

AKERS & WISBAR, LLC


Denise Nelson Akers

DNA/cjb
Enclosure

Cc: Irwin L. Felps, Jr.; Kimberly A. Gann

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denise@akerswisbar.com
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Phone (225) 767-1003 | Fax (225) 767-2280

August 10, 2016

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED and U.S. MAIL

The Honorable Taylor F. Barras
Speaker of the Louisiana House of Representatives
P.O. Box 94062
Baton Rouge, LA 70804

Re: Louisiana State Police Retirement System ("LSPRS")
Our File No.: 09-1154

Dear Speaker Barras:

For the review of your committee, and on behalf of Louisiana State Police Retirement System ("LSPRS"), I provide this report to you in conformity with La. R.S. 49:968(B)(15)(b) which requires LSPRS to provide notice of its proposed rule change.

Copies of the Notice of Intent, Proposed Rule, and the corresponding Fiscal and Economic Impact Statement approved by the Legislative Fiscal Office are enclosed for your reference. If you have any questions, please contact me at the phone number listed above.

With kindest regards, I remain

Sincerely,

AKERS & WISBAR, LLC



Denise Nelson Akers

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August 10, 2016

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED and U.S. MAIL

The Honorable Kevin J. Pearson
Chairman, House Retirement Committee
PO Box 44486
Baton Rouge, LA 70804

Re: Louisiana State Police Retirement System ("LSPRS")
Our File No.: 09-1154

Dear Representative Pearson:

For the review of your committee, and on behalf of Louisiana State Police Retirement System of Louisiana ("LSPRS"), I provide this report to your committee in conformity with La. R.S. 49:968(B)(15)(b) which requires LSPRS to provide notice of its proposed rule change.

Copies of the Notice of Intent, Proposed Rule, and the corresponding Fiscal and Economic Impact Statement approved by the Legislative Fiscal Office are enclosed for your reference. If you have any questions, please contact me at the phone number listed above.

With kindest regards, I remain

Sincerely,

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Denise Nelson Akers

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