

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

966H0034

HOUSE BILL NO. 1065

Introduced by: Representatives Michels, Hennies (Thomas), and Kooistra and Senators
McCracken and McIntyre

1 FOR AN ACT ENTITLED, An Act to expand the South Dakota Retirement System board
2 membership.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 3-12-48 be amended to read as follows:

5 3-12-48. There is created a governing authority of the system to consist of a board known
6 as the Board of Trustees. Voting representation on the board ~~shall be the following~~ is as follows:

- 7 (1) Two state employee members;
- 8 (2) Two teacher members;
- 9 (3) A participating municipality member;
- 10 (4) A participating county member;
- 11 (5) A participating classified employee member;
- 12 (6) A current contributing Class B member other than a justice, judge, or magistrate
13 judge;
- 14 (7) A justice, judge, or magistrate judge;
- 15 (8) One head of a principal department established pursuant to § 1-32-2, or one head of



1 a bureau under the Office of Executive Management established pursuant to § 1-33-3
2 appointed by the Governor;

3 (9) An individual appointed by the Governor;

4 (10) A county commissioner of a participating county;

5 (11) A school district board member;

6 (12) An elected municipal official of a participating municipality;

7 (13) ~~A retiree~~ Three retirees; and

8 (14) A faculty or administrative member employed by the Board of Regents and not
9 subject to the provisions of chapter 3-6A.

10 A representative of the State Investment Council shall serve as an ex officio nonvoting
11 member.

12 Section 2. That § 3-12-52 be amended to read as follows:

13 3-12-52. The Board of Trustees shall meet at least twice each year; and shall adopt its own
14 rules of procedure. A majority of trustees shall constitute a quorum. At the first meeting of each
15 fiscal year, the board shall elect from their membership a ~~chairman~~ chair and a ~~vice-chairman~~
16 vice-chair. At least ~~eight~~ nine concurrent votes shall be required for a decision by the board for
17 any of its meetings.

18 Section 3. That § 3-12-49 be amended to read as follows:

19 3-12-49. Each group of retirement system members who are vested or are currently
20 contributing or employers as set out in § 3-12-48 shall elect their own trustee or trustees in a
21 separate election. The trustees shall promulgate rules and regulations pursuant to chapter 1-26
22 to carry out such elections. The regular term of office of a trustee shall be four years with ~~three~~
23 terms the term expiring on June thirtieth of ~~each year and two additional terms to expire on June~~
24 ~~thirtieth every~~ its fourth year. The appointees of the Governor shall serve at the pleasure of the

1 Governor. The term of the representative of the Investment Council shall be one year and ~~he~~ the
2 representative shall be appointed by the Investment Council. A trustee shall continue to serve
3 until ~~his~~ a successor has been designated and has qualified.

4 Section 4. That chapter 3-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The provisions of § 3-12-49 notwithstanding, the two retiree representatives added by
7 section 1 of this Act shall be elected in separate elections to be held with other trustee elections
8 in 2003. One election shall be for a term of three years on the board and the other shall be for
9 a term of four years on the board. A retiree may run for only one of the new retiree positions in
10 2003. After the expiration of the two initial terms, all retiree representatives shall hold standard
11 four-year terms pursuant to § 3-12-49.