

By: Representatives Reynolds, Brown, Evans

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 16

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE
2 MISSISSIPPI CONSTITUTION OF 1890, BY CREATING A NEW SECTION 273B,
3 TO REQUIRE THE LEGISLATURE, BY GENERAL LAW, TO PROVIDE FOR THE
4 CREATION, OPERATION AND MANAGEMENT OF THE PUBLIC EMPLOYEES'
5 RETIREMENT SYSTEM OF MISSISSIPPI; TO PRESCRIBE THE NUMBER AND
6 MANNER OF APPOINTING PERSONS TO SERVE AS MEMBERS ON THE GOVERNING
7 BOARD OF TRUSTEES FOR THE SYSTEM; AND FOR RELATED PURPOSES.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
9 MISSISSIPPI, That the following amendment to the Mississippi
10 Constitution of 1890 is proposed to the qualified electors of the
11 state:

12 Amend the Mississippi Constitution of 1890 by creating a new
13 Section 272B to read as follows:

14 "Section 272B. The Legislature, by general law, shall
15 provide for the creation, operation and management of a retirement
16 system for public employees, which shall be known as the Public
17 Employees' Retirement System of Mississippi and which shall be
18 governed by a board of trustees. The board shall consist of ten
19 (10) trustees, as follows:

20 (a) The State Treasurer;

21 (b) One (1) member who shall be appointed by the
22 Governor for a term of four (4) years, who must be a member of the
23 system;

24 (c) Two (2) members of the system having at least ten
25 (10) years of creditable service who are state employees who are
26 not employees of the state institutions of higher learning, who
27 shall be elected by members of the system who are employees of
28 state agencies and by members of the Mississippi Highway Safety

29 Patrol Retirement System, but not by employees of the state
30 institutions of higher learning;

31 (d) Two (2) members of the system having at least ten
32 (10) years of creditable service who do not hold office in the
33 legislative or judicial departments of municipal or county
34 government, one (1) of whom shall be an employee of a
35 municipality, instrumentality or juristic entity thereof, who
36 shall be elected by members of the system who are employees of the
37 municipalities, instrumentalities or juristic entities thereof and
38 by members of the municipal systems and the firemen's and
39 policemen's disability and relief funds administered by the board
40 of trustees, and one (1) of whom shall be an employee of a county,
41 instrumentality or juristic entity thereof, who shall be elected
42 by members of the system who are employees of the counties,
43 instrumentalities or juristic entities thereof;

44 (e) One (1) member of the system having at least ten
45 (10) years of creditable service who is an employee of a state
46 institution of higher learning, who shall be elected by members of
47 the system who are employees of the state institutions of higher
48 learning;

49 (f) Two (2) retired members who are receiving a
50 retirement allowance from the system, who shall be elected by the
51 retired members or beneficiaries receiving a retirement allowance
52 from the system and by the retired members or beneficiaries of the
53 municipal systems, the firemen's and policemen's disability and
54 relief funds and the Mississippi Highway Safety Patrol Retirement
55 System administered by the board of trustees, to serve for a term
56 of six (6) years under rules and regulations adopted by the board
57 to govern that election;

58 (g) One (1) member of the system having at least ten
59 (10) years of creditable service who is an employee of any public
60 school district or junior college or community college district
61 that participates in the system, who shall be elected by the

62 members of the system who are employees of any public school
63 district or junior college or community college district."

64 BE IT FURTHER RESOLVED, That this proposed amendment shall be
65 submitted by the Secretary of State to the qualified electors at
66 an election to be held on the first Tuesday after the first Monday
67 of November 2006, as provided by Section 273 of the Constitution
68 and by general law.

69 BE IT FURTHER RESOLVED, That the explanation of this proposed
70 amendment for the ballot shall read as follows: "This proposed
71 constitutional amendment requires the Legislature, by general law,
72 to provide for the creation, operation and management of the
73 Public Employees' Retirement System Of Mississippi. The amendment
74 also prescribes the number and manner of appointing persons to
75 serve as members on the governing board of trustees for the
76 system."