

NHRS Board of Trustees
Legislative Committee, October 10, 2011

Note: The public minutes from the October 10, 2011 Legislative Committee meeting were approved and executed at the November 7, 2011 Committee meeting.

**Legislative Committee
of the
Board of Trustees
October 10, 2011**

THE PUBLIC MINUTES

**New Hampshire Retirement System
54 Regional Drive
Concord, NH**

Committee Members: Tara Reardon, *Chair*; Dr. Kate McGovern; Jack Wozmak, *via telephone*.

Trustee: Dr. Dick Gustafson.

Staff: Kim France; Larry Johansen; Jack Dianis; Tim Crutchfield; Shannan Hudgins.

Chair Reardon called the meeting to order at 2:03 p.m., stating that the first order of business was to accept and place on file the minutes from the June 21, 2011 minutes. Atty. Crutchfield informed the assembled Committee and staff members that meetings with telephonic participation require roll call votes on all motions.

On a motion from Trustee McGovern, seconded by Trustee Wozmak, the minutes were accepted and entered into the record on a roll call vote, as follows:

Ayes: Trustees McGovern, Reardon, Wozmak.

Nays: None.

Chair Reardon asked Ms. France to discuss HB 654 and the Legislators' disagreement with NHRS' attorneys' statement of a potential constitutional impairment. Ms. France explained the difference in understanding between NHRS and Legislators regarding the legislative

intent of HB 2. It was noted that although NHRS Staff had been consistent in its presentation of fiscal notes to the Legislature, now that employers are experiencing financial difficulties, there is an expectation of substantive relief from their retirement obligation for the month of July 2011.

On a motion by Trustee McGovern, seconded by Trustee Wozmak, the Committee voted to recommend that the full Board waive the Attorney-Client Privilege of Confidentiality on the September 23, 2011 memo from Atty. Schulman on HB 654, on a roll call vote as follows:

Ayes: Trustees McGovern, Reardon, Wozmak.

Nays: None.

Ms. France also updated the Committee on HB 2 implementation issues, indicating that certain provisions would benefit from clarifying language.

On a motion by Trustee Wozmak, seconded by Trustee McGovern, the Committee voted to recommend that the full Board authorize staff to seek clarifying language for Section 163 of HB 2 relative to Average Final Compensation when Extra and Special Duty Pay was reported by the employer, on a roll call vote as follows:

Ayes: Trustees McGovern, Reardon, Wozmak.

Nays: None.

On a motion by Trustee McGovern, seconded by Trustee Wozmak, the Committee voted to recommend that the full Board authorize staff to work with the bill sponsor, or legislators moving the bill, to develop clarifying language for Section 168 of HB 2 regarding Accidental Disability Retirement, on a roll call vote as follows:

Ayes: Trustees McGovern, Reardon, Wozmak.

Nays: None.

On a motion by Trustee McGovern, seconded by Trustee Wozmak, the Committee voted to recommend that the full Board authorize staff to seek clarifying language to set the Credit of Interest calculation in Section 179 of HB 2 as of January 1 of each calendar year, not the fiscal year, and that the phrase "whichever is lower" be moved to follow "by December 1 of each year", on a roll call vote as follows:

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Ayes: Trustees McGovern, Reardon, Wozmak.

Nays: None.

On a motion by Trustee McGovern, seconded by Trustee Wozmak, the Committee voted to recommend that the full Board authorize staff to seek clarifying language from the bill sponsor for Section 178 of HB 2, limiting part-time employment to 32 hours for a single employer, and 32 hours in a Group I position *or* a Group II position; and stating that restoration to service pursuant to RSA 100-A:7 applies to those retirees working more than 32 hours per week, on a roll call vote as follows:

Ayes: Trustees McGovern, Reardon, Wozmak.

Nays: None.

Following a general discussion regarding Legislative Services Requests, expanded fiscal notes, and the education of House and Senate members in preparation for expected defined contribution legislation in the upcoming term, the next Committee meeting was scheduled for Monday, November 7, 2011, at 2:00 p.m.

On a motion by Trustee McGovern, seconded by Trustee Wozmak, the Committee meeting adjourned at 3:47 p.m. on a unanimous roll call vote.

Respectfully submitted,
Shannan Hudgins