

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**SESSION LAW 2006-64  
HOUSE BILL 1237**

**AN ACT TO REVISE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF  
THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.**

The General Assembly of North Carolina enacts:

**SECTION 1.1.** G.S. 128-28(c) reads as rewritten:

"(c) Members of Board. – The Board shall consist of (i) seven members of the Board of Trustees of the Teachers' and State Employees' Retirement System, System appointed under G.S. 135-6(b); the State Treasurer; the Superintendent of Public Instruction; the two members appointed by the General Assembly; and the three members appointed by the Governor who are not members of the teaching profession or State employees; and three local governmental officials (ii) seven members designated by the Governor. Governor:

- (1) One local governmental official member shall be a mayor, mayor or a member of the governing body, or a full-time officer body of a city or town participating in the Retirement System, and one local governmental official System;
- (2) One member shall be a county commissioner or a full-time officer of a county participating in the Retirement System, and one local governmental official System;
- (3) One member shall be a law-enforcement officer employed by an employer participating in the Retirement System. System;
- (4) One member shall be a county manager of a county participating in the Retirement System;
- (5) One member shall be a city or town manager of a city or town participating in the Retirement System;
- (6) One member shall be an active, Fair Labor Standards Act nonexempt, local governmental employee of an employer; and
- (7) One member shall be a retired, Fair Labor Standards Act nonexempt, local governmental employee of an employer.

The Governor shall designate ~~these three local governmental officials~~ seven members on April 1 of years in which an election is held for the office of Governor, or as soon thereafter as possible, and the ~~three local governmental officials~~ seven members designated by the Governor shall serve on the Board in addition to the regular duties of their city, town, or county office: Provided, that if for any reason any ~~local governmental official so designated~~ member appointed pursuant to subdivisions (1) through (6) of this subsection vacates the city, town, or county office or employment which ~~he~~ the member held at the time of this designation, the Governor shall designate ~~some other local governmental official~~ another member to serve until the next regular date for the designation of ~~local governmental officials~~ members to serve on the Board."

**SECTION 1.2.** G.S. 128-28(f) reads as rewritten:

"(f) Voting Rights. – Each trustee shall be entitled to one vote in the Board. Five A majority of affirmative votes in attendance shall be necessary for a decision by the trustees at any meeting of said Board."

**SECTION 2.** This act is effective when it becomes law, and the additional members shall be designated by the Governor to serve until April 1, 2008, when their successors shall be designated.

In the General Assembly read three times and ratified this the 28<sup>th</sup> day of June, 2006.

s/ Beverly E. Perdue  
President of the Senate

s/ James B. Black  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 1:36 p.m. this 9<sup>th</sup> day of July, 2006