

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 844*

Short Title: Elected Local Officials' Ret.

(Public)

Sponsors: Senator Harris.

Referred to: Pensions and Retirement.

April 11, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE ELECTED OFFICIALS OF LOCAL GOVERNMENT WITH
2 BASIC RETIREMENT BENEFITS AND SUPPLEMENTAL RETIREMENT
3 BENEFITS.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 128-21(7a) reads as rewritten:

7 "(7a) 'Compensation' shall mean all salaries and wages, not including any terminal
8 payments for unused sick leave, derived from public funds which are earned by a
9 member of the Retirement System for service as an employee in the unit of the
10 Retirement System for which he is performing full time work. 'Compensation' shall
11 also mean compensation, exclusive of allowances, paid in accordance with the
12 provisions of G.S. 153A-28. 'Compensation' shall also mean compensation, exclusive
13 of allowances, paid to elected municipal officers qualified pursuant to G.S. 160A-59
14 and compensated pursuant to G.S. 160A-64."

15 Sec. 2. G.S. 128-21(10) reads as rewritten:

16 "(10) 'Employee' shall mean any person who is regularly employed in the service
17 of and whose salary or compensation is paid by the employer as defined in subdivision
18 (11) of this section, including employees of any light and water board or commission,
19 and full time employees of any housing authority created and operating under and by
20 virtue of Chapter 157 of the General Statutes, whether employed or appointed for stated
21 terms or otherwise, except teachers in the public schools and except such employees
22 who hold office by popular election as are not required to devote a major portion of
23 their time to the duties of their office. 'Employee' shall also mean all full time, paid
24 firemen who are employed by any fire department that serves a city or county or any

1 part thereof and that is supported in whole or in part by municipal or county funds. In
2 all cases of doubt the Board of Trustees shall decide who is an employee.
3 Notwithstanding any other provisions of this subdivision, 'employee' shall also mean
4 members of county boards of commissioners receiving compensation in accordance
5 with subdivision (7a) of this section, provided the county has qualified as an employer
6 under the provisions of this Article, and shall also mean elected municipal officers
7 receiving compensation in accordance with subdivision (7a) of this section, provided the
8 municipality has qualified as an employer under the provisions of this Article."

9 Sec. 3. G.S. 128-26 is amended by adding a new subsection to read:

10 "(h2) Any member eligible for benefits under this Article may purchase creditable
11 service as a member of a county board of commissioners not otherwise creditable under
12 this section, or as an elected municipal official, provided the service is not credited in
13 any other retirement system administered by the State, and further provided the member
14 pays a lump sum equal to the full cost of the additional service credits calculated on the
15 basis of the assumptions used for the purposes of the actuarial valuation of the System's
16 liabilities, taking into account the additional retirement allowance arising on account of
17 the additional service credits commencing at the earliest age at which a member could
18 retire on an unreduced retirement allowance as determined by the Board of Trustees
19 upon the advice of the consulting actuary, plus an administrative fee to be set by the
20 Board of Trustees."

21 Sec. 4. This act shall become effective October 1, 1989.