

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 1271

Short Title: County Comm. Retirement Benefits.

(Public)

---

Sponsors: Representatives Nesbitt; Buchanan, N. Crawford, Flaherty, Greenwood, H. Hunter, Mills, Warren, and G. Wilson.

---

Referred to: Pensions & Retirement.

---

April 12, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE MEMBERS OF COUNTY BOARDS OF COMMISSIONERS  
2 WITH BASIC RETIREMENT BENEFITS AND SUPPLEMENTAL  
3 RETIREMENT BENEFITS.  
4

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 also  
11 mean compensation, exclusive of allowances, paid in accordance with the provisions of  
12 G.S. 153A-28."

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

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

1 cases of doubt the Board of Trustees shall decide who is an employee. Notwithstanding  
2 any other provisions of this subdivision, 'employee' shall also mean members of county  
3 boards of commissioners receiving compensation in accordance with subdivision (7a) of  
4 this section, provided the county has qualified as an employer under the provisions of  
5 this Article."

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

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

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