

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS35123-LL-120 (3/9)

Short Title: Study N.C. National Guard Pension Fund. (Public)

Sponsors: Senator Atwater.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO REVIEW
THE BENEFITS PROVIDED THROUGH THE NORTH CAROLINA NATIONAL
GUARD PENSION FUND.

The General Assembly of North Carolina enacts:

SECTION 1. There is established the North Carolina National Guard Pension Fund Study Commission to examine the current status of the North Carolina National Guard Pension Fund authorized by Article 3 of Chapter 127A of the General Statutes. The Commission shall consider, but is not limited to, the following issues:

- (1) The actuarial condition of the Fund and measures that might be taken by the General Assembly to ensure the long-term solvency of the Fund.
- (2) Changes to the minimum and maximum monthly benefits that are paid from the Fund.
- (3) Changes to the eligibility requirements, including the minimum age for receiving benefits and minimum years of creditable military service.

SECTION 2. The Commission shall consist of 11 members appointed as follows:

- (1) Five members of the Senate appointed by the President Pro Tempore of the Senate.
- (2) Five members of the House appointed by the Speaker of the House of Representatives.
- (3) One member representing the National Guard, recommended by the Governor and jointly appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

SECTION 3. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the

1 work of the Commission. Clerical staff shall be furnished to the Commission through
2 the offices of the House of Representatives and Senate Supervisors of Clerks. The
3 Commission may meet in the Legislative Building or the Legislative Office Building
4 upon the approval of the Legislative Services Commission. The Commission, while in
5 discharge of official duties, may exercise all the powers provided under the provisions
6 of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers,
7 agents, agencies, and departments of the State to provide any information, data, or
8 documents within their possession, ascertainable from their records, or otherwise
9 available to them, and the power to subpoena witnesses. Members of the Commission
10 shall receive per diem, subsistence, and travel allowances at the rate established in
11 G.S. 120-3.1, 138-5, or 138-6, as appropriate. Vacancies shall be filled by the
12 appointing authority.

13 **SECTION 4.** The Commission shall report its findings and
14 recommendations to the Joint Legislative Commission on Governmental Operations no
15 later than April 1, 2006.

16 **SECTION 5.** This act is effective when it becomes law.