

CONFERENCE COMMITTEE REPORT
House Bill No. 369 By Representative Gary Smith

June 23, 2011

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 369 by Representative Gary Smith, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Martiny and adopted by the Senate on June 20, 2011, be rejected.
2. That the following amendment to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, delete lines 23 through 25 in their entirety and insert the following:

"Section 3. This Act shall become effective if and when the Act which originated as Senate Bill No. 6 of the 2011 Regular Session of Legislature becomes effective."

Respectfully submitted,

Representative Gary L. Smith, Jr.

Senator D. A. "Butch" Gautreaux

Representative J. Kevin Pearson

Senator Daniel "Danny" Martiny

Representative Hollis Downs

Senator Joel T. Chaisson, II

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 369 by Representative Gary Smith

Keyword and oneliner of the instrument as it left the House

RETIREMENT/TEACHERS: Relative to the Teachers' Retirement System of Louisiana (TRSL), allows certain reemployed retirees to receive retirement benefits upon reemployment

Report adopts Senate amendments to:

1. None.

Report rejects Senate amendments which would have:

1. Added to the definition of "retired teacher", and therefore to the list of reemployed retirees who may receive a benefit during reemployment, retirees who on June 30, 2010, were participating in the Deferred Retirement Option Plan (DROP) or were working after completion of plan participation.

Report amends the bill to:

1. Provide that the provisions of proposed law shall become effective if and when the Act which originated as Senate Bill No. 6 of the 2011 Regular Session of Legislature becomes effective.

Digest of the bill as proposed by the Conference Committee

Present law prohibits any TRSL retiree other than a "retired teacher" from receiving a retirement benefit while reemployed. Provides that anyone other than a "retired teacher" shall have his benefit suspended during reemployment. Defines "retired teacher" as:

- (1) Any retired member who returns to work full time or part time as a classroom teacher offering instructional services to any student in grades K through 12 in a "critical shortage area".
- (2) Any other retired member reemployed on or before June 30, 2010.
- (3) Any retired member who returns to active service as a full-time certified speech therapist, speech pathologist, or audiologist whose position of employment requires a valid La. ancillary certificate approved and issued by the state Dept. of Education in a school district where a shortage exists.

Proposed law adds to the definition of "retired teacher", and therefore to the list of reemployed retirees who may receive a benefit during reemployment, any retiree reemployed to teach in an adult education or literacy program administered through a K through 12 school.

Proposed law provides that the earnings of any such person shall not exceed 25% of his retirement benefit in any fiscal year. If earnings exceed this amount, such person's retirement benefit will be reduced by the amount in excess of the 25%.

Present law requires an employer to submit to TRSL certain information after the end of each fiscal year, including the name of all persons being paid by the employing agency, their social security numbers, and the amount of their earnings during the previous fiscal year.

Proposed law requires additionally that the employer report to TRSL an employee's status as part-time or full-time.

Proposed law requires that any cost of proposed law be funded with additional employer contributions in compliance with Art. X, Sec. 29(F) of the Const. of La.

Effective if and when the Act which originated as Senate Bill No. 6 of the 2011 Regular Session of Legislature becomes effective.

(Amends R.S. 11:710(D); Adds R.S. 11:710(A)(4))