

Regular Session, 2010

SENATE BILL NO. 307

BY SENATOR N. GAUTREAUX

SCHOOL EMPLOYEES RET. Excludes pay to school bus drivers for certain school-related extracurricular activities performed under private contracts from the definition of earnable compensation. (7/1/10)

1 AN ACT

2 To amend and reenact R.S. 11:1002 (introductory paragraph) and (12), relative to the  
3 Louisiana School Employees' Retirement System; to provide for definitions; to  
4 exclude in the definition of earnable compensation for such system any pay received  
5 by a school bus driver for school-related extracurricular activities performed under  
6 private contracts; to provide for an effective date; and to provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 11:1002 (introductory paragraph) and (12) are hereby amended and  
10 reenacted to read as follows:

11 §1002. Definitions

12 As used in this Chapter, the following words and phrases shall have the  
13 meanings ascribed to them in this Section unless a different meaning is plainly  
14 required by the context:

15 \* \* \*

16 (12) "Earnable compensation" means the full amount earned by an employee  
17 for a given pay period. "Earnable compensation" shall not include operating

1 expenses, the cost of any insurance paid by the employer, or any allowance for  
 2 expenses authorized and incurred as an incident of employment, nor payments in lieu  
 3 of unused sick or annual leave. "Earnable compensation" shall include pay received  
 4 by school bus drivers for school-related extracurricular activities; **however,**  
 5 **"earnable compensation" shall not include pay received by any driver with an**  
 6 **ownership interest in his or her school bus pursuant to a contract or corporate**  
 7 **contract for school-related extracurricular activities.** Contributions made by the  
 8 employer under the provisions of this Chapter shall not be considered as a part of the  
 9 employee's rate of pay or compensation notwithstanding the provisions of any other  
 10 law.

11 \* \* \*

12 Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor  
 13 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 14 2010, or on the day following such approval by the legislature, whichever is later.

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The original instrument was prepared by Lauren Bailey. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Romero Watson.

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#### DIGEST

N. Gautreaux (SB 307)

Present law provides for definitions related to the La. School Employees' Retirement System. Provides that "earnable compensation" means the full amount earned by an employee for a given pay period. Provides that "earnable compensation" shall not include operating expenses, the cost of any insurance paid by the employer, or any allowance for expenses authorized and incurred as an incident of employment, nor payments in lieu of unused sick or annual leave. Provides that "earnable compensation" shall include pay received by school bus drivers for school-related extracurricular activities.

Proposed law retains present law, and excludes from the definition of "earnable compensation", any pay received by any driver with an ownership interest in his or her school bus, pursuant to a contract or corporate contract for school-related extracurricular activities.

Present law specifies that contributions made by the employer under the provisions of present law shall not be considered as a part of the employee's rate of pay or compensation notwithstanding the provisions of any other law.

Proposed law retains present law.

Effective July 1, 2010.

(Amends R.S. 11:1002 (intro. para.) and (12))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Changes proposed law exclusion from the definition of "earnable compensation" from employment by contract or corporate contract for school-related extracurricular activities to pay received by a driver with an ownership interest in his or her bus pursuant to a contract or corporate contract for school-related extracurricular activities.