

By: Senator(s) Harden

To: Education;
Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2186

1 AN ACT CREATING A JOINT STUDY COMMITTEE TO STUDY AND MAKE
2 RECOMMENDATIONS CONCERNING A PENSION PLAN RESTRUCTURE FOR TEACHERS
3 RECEIVING A RETIREMENT ALLOWANCE WHO ARE OFFERED REEMPLOYMENT IN
4 SCHOOL DISTRICTS WITH A TEACHER SHORTAGE; TO DIRECT THE JOINT
5 COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS ON THE CONDITIONS FOR
6 SUCH REEMPLOYMENT OF RETIRED TEACHERS IN ORDER TO MAKE THE PLAN
7 COST NEUTRAL TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO DIRECT
8 THE JOINT COMMITTEE TO MAKE A WRITTEN REPORT OF ITS FINDINGS AND
9 RECOMMENDATIONS BEFORE DECEMBER 1, 2003; AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** A Special Joint Committee is created to Study and
12 Make Recommendations Concerning a Public Employees' Retirement
13 System Plan Restructure for teachers receiving a retirement
14 allowance who are offered reemployment in school districts in
15 Mississippi with a documented teacher shortage. The joint
16 committee shall be composed of the Chairman of the Senate
17 Appropriations Committee, the Chairman of the Senate Finance
18 Committee, the Chairman of the Senate Education Committee, the
19 Chairman of the House Appropriations Committee, the Chairman of
20 the House Ways and Means Committee, the Chairman of the House
21 Education Committee, the members of the Joint Legislative
22 Oversight Committee of the Board of Trustees of the Public
23 Employees' Retirement System, the Executive Director of the Public
24 Employees' Retirement System, the State Superintendent of
25 Education, the Chairman of the State Board of Education, a
26 licensed teacher appointed by the Lieutenant Governor, and a local
27 school superintendent appointed by the Speaker of the House.

28 Within sixty (60) days after sine die adjournment of the 2003
29 Regular Session of the Legislature, the Lieutenant Governor and
30 Speaker shall appoint the members of the committee, after which



31 the entire joint committee shall meet on a date designated by the
32 State Superintendent of Education in Jackson, Mississippi, to
33 select a chairman, organize the committee and establish rules for
34 transacting its business and keeping records. An affirmative vote
35 of a majority of the members from each house shall be required in
36 the adoption of rules and reports. All members of the joint
37 committee shall be notified in writing of all meetings of the
38 committee, which notices shall be mailed at least five (5) days
39 before the dates of the meetings. The joint committee may
40 establish any subcommittees that it deems desirable to study and
41 report to the committee with respect to any matter that is within
42 the scope of this act.

43 The joint committee shall review in depth and study the
44 present laws and regulations of the state and federal government
45 and the Internal Revenue Service relating to retirement and
46 reemployment of public employees generally, and teachers
47 specifically, and make recommendations regarding the
48 implementation of a PERS retirement option in response to
49 increasing teacher shortages in the public schools in Mississippi.
50 This study shall address the following: (a) Internal Revenue
51 Service requirements, and recent rulings, regarding the length of
52 time a retired member must be retired prior to being eligible for
53 reemployment; (b) the contract period and workday requirements
54 allowed for any such retired member to be reemployed; (c) may this
55 retirement option be limited to teachers if the employing school
56 district has a teacher shortage due to its geographical location
57 or a teacher shortage in high-demand subject areas; (d) what
58 documentation is required for such reemployment contracts; (e)
59 what salary, health insurance or leave benefits should be allowed
60 to such retired teachers who are reemployed under this option; (f)
61 what salary should the retired teacher receive upon reemployment
62 in order to maximize participation in this option within federal
63 requirements; (g) in order to make this option cost neutral to the



64 retirement system, what contributions should be required from the
65 state, the school district and/or the participating member. The
66 joint committee shall make a written report with proposed
67 legislation relating to its findings and recommendations, and
68 shall mail copies of the report to each member of the Legislature
69 not later than December 1, 2003. Upon submission of its report,
70 the joint committee shall be dissolved.

71 In carrying out the provisions of this act, the joint
72 committee may utilize the services, facilities and personnel of
73 all departments, agencies, offices and institutions of the state,
74 including the state universities and the community and junior
75 colleges, in particular the State Department of Education and the
76 Public Employees' Retirement System, and each requested agency
77 shall cooperate with the joint committee and provide the joint
78 committee with any information and other assistance requested by
79 the chairman.

80 Nonlegislative members of the joint committee shall serve
81 without compensation. For attending meetings of the joint
82 committee, each legislative member shall be paid per diem
83 compensation in the amount authorized by Section 25-3-69 and a
84 mileage allowance and an expense allowance in the amount
85 authorized by Section 5-1-47. Legislative members shall be paid
86 from the contingent expense fund of the member's respective house.
87 However, no per diem compensation, mileage allowance or expense
88 allowance shall be paid for attending meetings of the joint
89 committee while the Legislature is in session, and no per diem
90 compensation, mileage allowance or expense allowance shall be paid
91 without prior approval of the proper committee in the member's
92 respective house.

93 **SECTION 2.** This act shall take effect and be in force from
94 and after July 1, 2003.

