

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1905

Session of
1993

INTRODUCED BY STABACK, McCALL, FEE, GODSHALL, HERSHEY, DALEY,
VEON, BUXTON, TRELLO, ROONEY, VAN HORNE, JAROLIN, MARKOSEK,
MELIO AND KASUNIC, JUNE 23, 1993

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 21, 1994

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, further defining "enforcement officer"
3 for purposes of State employees' retirement; AND FURTHER
4 PROVIDING FOR TERMINATION OF ANNUITIES. <—

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definition of "enforcement officer" in
8 section 5102 of Title 71 of the Pennsylvania Consolidated
9 Statutes is amended by adding paragraphs to read:

10 § 5102. Definitions.

11 The following words and phrases as used in this part, unless
12 a different meaning is plainly required by the context, shall
13 have the following meanings:

14 * * *

15 "Enforcement officer."

16 * * *

17 ~~(4) Full time Pennsylvania Game Commission employees who~~ <—
18 ~~are empowered to enforce or investigate alleged violations of~~

1 ~~34 Pa.C.S. (relating to game).~~

2 (4) FULL-TIME PENNSYLVANIA GAME COMMISSION EMPLOYEES WHO <—
3 ARE GRADUATES OF THE GAME COMMISSION TRAINING SCHOOL AND WHO
4 SERVE OR SERVED AS WILDLIFE CONSERVATION OFFICERS ARE
5 EMPOWERED TO ENFORCE OR INVESTIGATE ALLEGED VIOLATIONS OF 18
6 PA.C.S. (RELATING TO CRIMES AND OFFENSES) AND 34 PA.C.S.
7 (RELATING TO GAME).

8 (5) Waterways conservation officers and other
9 commissioned law enforcement personnel employed by the
10 Pennsylvania Fish and Boat Commission who have and exercise
11 the same law enforcement powers as waterways conservation
12 officers. This paragraph shall not apply to deputy waterways
13 conservation officers.

14 * * *

15 SECTION 2. SECTION 5706(A) OF TITLE 71 IS AMENDED TO READ: <—
16 § 5706. TERMINATION OF ANNUITIES.

17 (A) GENERAL RULE.--IF THE ANNUITANT RETURNS TO STATE SERVICE
18 OR ENTERS SCHOOL SERVICE AND ELECTS MULTIPLE SERVICE MEMBERSHIP,
19 ANY ANNUITY PAYABLE TO HIM UNDER THIS PART SHALL CEASE AND IN
20 THE CASE OF AN ANNUITY OTHER THAN A DISABILITY ANNUITY THE
21 PRESENT VALUE OF SUCH ANNUITY, ADJUSTED FOR FULL COVERAGE IN THE
22 CASE OF A JOINT COVERAGE MEMBER WHO MAKES THE APPROPRIATE BACK
23 CONTRIBUTIONS FOR FULL COVERAGE, SHALL BE FROZEN AS OF THE DATE
24 SUCH ANNUITY CEASES. AN ANNUITANT WHO IS CREDITED WITH AN
25 ADDITIONAL 10% OF CLASS A AND CLASS C SERVICE AS PROVIDED IN
26 SECTION 5302(C) (RELATING TO CREDITED STATE SERVICE) AND WHO
27 RETURNS TO STATE SERVICE SHALL FORFEIT SUCH CREDITED SERVICE AND
28 SHALL HAVE HIS FROZEN PRESENT VALUE ADJUSTED AS IF HIS 10%
29 RETIREMENT INCENTIVE HAD NOT BEEN APPLIED TO HIS ACCOUNT. IN THE
30 EVENT THAT THE COST-OF-LIVING INCREASE ENACTED DECEMBER 18, 1979

1 OCCURRED DURING THE PERIOD OF SUCH STATE OR SCHOOL EMPLOYMENT,
2 THE FROZEN PRESENT VALUE SHALL BE INCREASED, ON OR AFTER THE
3 MEMBER ATTAINS SUPERANNUATION AGE, BY THE PERCENT APPLICABLE HAD
4 HE NOT RETURNED TO SERVICE. THIS SUBSECTION SHALL NOT APPLY IN
5 THE CASE OF ANY ANNUITANT WHO MAY RENDER SERVICES TO THE
6 COMMONWEALTH IN THE CAPACITY OF AN INDEPENDENT CONTRACTOR OR AS
7 A DEPUTY WILDLIFE CONSERVATION OFFICER OR DEPUTY WATERWAYS
8 CONSERVATION OFFICER OR A MEMBER OF AN INDEPENDENT BOARD OR
9 COMMISSION OR AS A MEMBER OF A DEPARTMENTAL ADMINISTRATIVE OR
10 ADVISORY BOARD OR COMMISSION WHEN SUCH MEMBERS OR DEPUTY
11 WILDLIFE OR WATERWAYS CONSERVATION OFFICERS OF INDEPENDENT OR
12 DEPARTMENTAL BOARDS OR COMMISSIONS ARE COMPENSATED ON A PER DIEM
13 BASIS FOR NOT MORE THAN 100 DAYS PER CALENDAR YEAR.

14 * * *

15 Section 2 3. This act shall take effect July 1, 1994.

<—