

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2098 Session of  
1995

INTRODUCED BY MAITLAND, FLEAGLE, DEMPSEY, MCGEEHAN, STEELMAN,  
BELARDI, TRELLO, LUCYK, YOUNGBLOOD, ITKIN AND BOSCOLA,  
OCTOBER 17, 1995

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 17, 1995

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, modifying eligibility for special  
3 early retirement in the State system.

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

6 Section 1. Section 5304(c) of Title 71 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 5304. Creditable nonstate service.

9 \* \* \*

10 (c) Limitations on nonstate service.--Creditable nonstate  
11 service credit shall be limited to:

12 (1) intervening military service;

13 (2) military service other than intervening military  
14 service and military service purchasable under section  
15 5302(d) (relating to credited State service) not exceeding  
16 five years, provided that a member with multiple service may  
17 not purchase more than a total of five years of military  
18 service in both the system and the Public School Employees'

1 Retirement System;

2 (3) in the case of an academic administrator, teacher or  
3 instructor employed in the Department of Education, the State  
4 System of Higher Education, any State-owned educational  
5 institution or The Pennsylvania State University, provided  
6 that the total amount of service creditable under this  
7 paragraph shall not exceed the lesser of ten years or the  
8 number of years of active membership in the system as an  
9 academic administrator, teacher or instructor in the  
10 Department of Education, State System of Higher Education,  
11 any State-owned educational institution or The Pennsylvania  
12 State University:

13 (i) nonstudent service as an academic administrator,  
14 teacher or instructor in any public school or public  
15 educational institution in any state other than this  
16 Commonwealth; or

17 (ii) nonstudent service as an academic  
18 administrator, teacher or instructor in the field of  
19 education for any agency or department of the Federal  
20 Government, whether or not such area was under the  
21 jurisdiction of the United States;

22 (4) previous service with a governmental agency other  
23 than the Commonwealth which employment with said agency was  
24 terminated because of the transfer by statute of the  
25 administration of such service or of the entire agency to the  
26 Commonwealth;

27 (5) service as a temporary Federal employee assigned to  
28 an air quality control complement for the Pennsylvania  
29 Department of Environmental Resources at any time during the  
30 period of 1970 through 1975. This service time may be

1 purchased only if the member makes an election to purchase  
2 within one year of the effective date of this paragraph, and  
3 the member shall pay an amount which is equal to the full  
4 actuarial cost of the increased benefit obtained by virtue of  
5 the purchase as provided in section 5505(f);

6 (6) service in the Cadet Nurse Corps with respect to any  
7 period of training as a student or graduate nurse under a  
8 plan approved under section 2 of the act of June 15, 1943  
9 (Public Law 78-73, 57 Stat. 153), if the total period of  
10 training under such plan was at least two years, the credit  
11 for such service not to exceed three years;

12 (7) service prior to July 1, 1971, at a community  
13 college established under the act of August 24, 1963  
14 (P.L.1132, No.484), known as the Community College Act of  
15 1963; [or]

16 (8) service as a justice of the peace prior to January  
17 1970[.]; or

18 (9) previous service with a county, city, borough,  
19 incorporated town or township, the total of such service not  
20 to exceed five years, subject to the following limitations:

21 (i) That during such service the person was a full-  
22 time employee.

23 (ii) That during such service the employee was an  
24 active member of the local retirement system or, in the  
25 event that no local retirement system existed during the  
26 person's period of employment, the person would be  
27 eligible to be an active member in the present local  
28 retirement system.

29 (iii) That the period of such service used for this  
30 paragraph shall not be included in or computed as part of

1           the total service time with a county, city, borough,  
2           incorporated town or township.

3           \* \* \*

4           Section 2. This act shall take effect in 60 days.