

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1046 Session of  
2001

INTRODUCED BY E. Z. TAYLOR, HENNESSEY, KENNEY, MANDERINO,  
BELARDI, BELFANTI, CALTAGIRONE, CAPPABIANCA, L. I. COHEN,  
M. COHEN, DALEY, FREEMAN, HORSEY, JADLOWIEC, JAMES, LAUGHLIN,  
McCALL, MYERS, PISTELLA, PRESTON, ROBINSON, SHANER, SOLOBAY,  
TRELLO, WATSON, C. WILLIAMS AND YOUNGBLOOD, MARCH 19, 2001

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 19, 2001

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, further providing for creditable  
3 nonstate service.

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

1 service in both the system and the Public School Employees'  
2 Retirement System;

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

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

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

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

28 (5) service as a temporary Federal employee assigned to  
29 an air quality control complement for the Pennsylvania  
30 Department of Environmental Resources at any time during the

1 period of 1970 through 1975. This service time may be  
2 purchased only if the member makes an election to purchase  
3 within one year of the effective date of this paragraph, and  
4 the member shall pay an amount which is equal to the full  
5 actuarial cost of the increased benefit obtained by virtue of  
6 the purchase as provided in section 5505(f);

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

13 (7) service prior to July 1, 1971, at a community  
14 college established under the act of August 24, 1963  
15 (P.L.1132, No.484), known as the Community College Act of  
16 1963; [or]

17 (8) service as a justice of the peace prior to January  
18 1970[.]; or

19 (9) service as an employee of the American Red Cross  
20 performed in connection with the President of the United  
21 States' acceptance of cooperation and assistance from the  
22 American Red Cross under 10 U.S.C. § 2602, subject to the  
23 following limitations:

24 (i) that the aggregate total credit for all such  
25 service shall not exceed five years;

26 (ii) that the member makes a contribution or  
27 contributions for the service in accordance with section  
28 5505(d).

29 \* \* \*

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