

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1069 Session of
2005

INTRODUCED BY BELFANTI, VEON, DeWEESE, ARMSTRONG, BARRAR, BEBKO-JONES, BELARDI, YOUNGBLOOD, BIANCUCCI, BISHOP, BLACKWELL, BLAUM, BUNT, CALTAGIRONE, COHEN, CURRY, DeLUCA, EACHUS, FRANKEL, GEIST, GERGELY, GOODMAN, GRUITZA, HARHAI, JAMES, KENNEY, LEDERER, YEWIC, McCALL, MELIO, PALLONE, PISTELLA, RAMALEY, READSHAW, BROWNE, BUXTON, CAPPELLI, COSTA, DALEY, DERMODY, FABRIZIO, FREEMAN, GEORGE, GINGRICH, GRUCELA, HANNA, HASAY, JOSEPHS, KOTIK, LEVDANSKY, MARKOSEK, McGEEHAN, MUNDY, PHILLIPS, PRESTON, RAYMOND, ROONEY, WASHINGTON, SCAVELLO, SHAPIRO, STABACK, STURLA, YUDICHAK, THOMAS, WALKO, SAYLOR, SHANER, SOLOBAY, STETLER, SURRA, E. Z. TAYLOR, WANSACZ, WOJNAROSKI, SAINATO, CIVERA, MUSTIO, TRUE, MARSICO, BOYD, ZUG, KAUFFMAN, FEESE, HUTCHINSON, REICHLEY, MAJOR, NICKOL, BALDWIN, PAYNE, S. MILLER, HICKERNELL, RUBLEY, WRIGHT AND BASTIAN, MARCH 23, 2005

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 3, 2005

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, further providing for leaves of
3 absence for certain government employees; AND MAKING A REPEAL <—
4 RELATING TO MILITARY LEAVES OF ABSENCE.

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

7 Section 1. Section 4102 of Title 51 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 4102. Leaves of absence for certain government employees.

10 (a) Mandatory.--

11 (1) All officers and employees of [the Commonwealth, or
12 its+ instrumentalities ~~of the Commonwealth, or any~~, OR ANY] A <—

1 political subdivision [thereof] ~~of the Commonwealth~~, or its <—
2 instrumentalities, who are members of the Pennsylvania
3 National Guard, shall be entitled to leave of absence from
4 their respective duties without loss of pay, time or
5 efficiency rating on all days during which they shall, as
6 members of the Pennsylvania National Guard, be engaged in
7 active State duty. All such officers and employees shall, in
8 addition, be entitled to leave of absence from their
9 respective duties without loss of pay, time or efficiency
10 rating on all days not exceeding 15 days in any one year
11 during which they shall, as members of the Pennsylvania
12 National Guard OR AS MEMBERS OF ANY RESERVE COMPONENT OF THE <—
13 ARMED FORCES OF THE UNITED STATES, be engaged in training or
14 other military duty under orders authorized by Federal or
15 State law. All such officers and employees shall, in
16 addition, be entitled to unpaid leave of absence from their
17 respective duties without loss of seniority or efficiency
18 rating on all days in excess of 15 days per year during which
19 they shall be engaged in training or other military duty
20 under orders authorized by Federal or State law.

21 (2) All officers and employees of the Commonwealth or
22 its instrumentalities who are members of the Pennsylvania
23 National Guard shall be entitled to leave of absence from
24 their respective duties without loss of pay, time or
25 efficiency rating on all days during which they shall, as
26 members of the Pennsylvania National Guard, be engaged in
27 active State duty. All such officers and employees shall, in
28 addition, be entitled to leave of absence from their
29 respective duties without loss of pay, time or efficiency
30 rating on all days not exceeding 30 15 days in any one year <—

1 during which they shall, as members of the Pennsylvania
2 National Guard OR AS MEMBERS OF ANY RESERVE COMPONENT OF THE <—
3 ARMED FORCES OF THE UNITED STATES, be engaged in training or
4 other military duty under orders authorized by Federal or
5 State law. IN ADDITION, WHEN SUCH OFFICERS AND EMPLOYEES <—
6 SHALL BE ORDERED TO ACTIVE DUTY, OTHER THAN ACTIVE DUTY FOR
7 TRAINING, FOR A PERIOD OF 30 OR MORE CONSECUTIVE DAYS, THEY
8 SHALL BE ENTITLED TO UP TO 15 DAYS OF ADDITIONAL MILITARY
9 LEAVE OF ABSENCE IN ANY ONE YEAR WITHOUT LOSS OF PAY, TIME
10 AND EFFICIENCY RATING. All such officers and employees shall,
11 in addition, be entitled to unpaid leave of absence from
12 their respective duties without loss of seniority or
13 efficiency rating on all days in excess of 30 days per year
14 during which they shall be engaged in training or other
15 military duty under orders authorized by Federal or State
16 law.

17 (b) Discretionary.--The Commonwealth, its instrumentalities
18 and political subdivisions thereof and their instrumentalities
19 shall be authorized and permitted to provide paid military leave
20 or other compensation and/or continue medical and other benefits
21 to members of the Pennsylvania National Guard and other reserve
22 components of the United States Armed Forces for days in excess
23 of [15 per year] those provided in subsection (a) when the
24 member shall be engaged in training or other military duty under
25 orders authorized by Federal or State law.

26 SECTION 2. SECTION 1 OF THE ACT OF JULY 12, 1935 (P.L.677, <—
27 NO.255), ENTITLED "AN ACT TO FIX THE STATUS OF OFFICERS AND
28 EMPLOYES OF THE COMMONWEALTH AND POLITICAL SUBDIVISIONS THEREOF
29 WHILE IN TRAINING WITH THE ARMED FORCES OF THE UNITED STATES,"
30 IS REPEALED.

1 Section ~~2~~ 3. This act shall take effect in 60 days.

<—