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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 1285** Session of  
2006

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INTRODUCED BY WOZNIAK, COSTA, RAFFERTY, MUSTO, LOGAN, CORMAN,  
FONTANA, STOUT, TARTAGLIONE, MELLOW, GORDNER, O'PAKE,  
RHOADES, REGOLA, ROBBINS AND DINNIMAN, JULY 13, 2006

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SENATE AMENDMENTS TO HOUSE AMENDMENTS, NOVEMBER 20, 2006

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AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, further providing for credited State  
3 service AND for classes of service. ~~and for administrative~~ <—  
4 ~~duties of the board.~~

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

7 Section 1. Sections 5302(b)(2), ~~5306(b) and 5902(a)~~ AND <—  
8 5306(B) of Title 71 of the Pennsylvania Consolidated Statutes  
9 are amended to read:

10 § 5302. Credited State service.

11 \* \* \*

12 (b) Creditable leaves of absence.--

13 \* \* \*

14 (2) An active member on paid leave granted by an  
15 employer for purposes of serving as an elected full-time  
16 officer for a Statewide employee organization which is a  
17 collective bargaining representative under the act of June  
18 24, 1968 (P.L.237, No.111), referred to as the Policemen and

1 Firemen Collective Bargaining Act, or the act of July 23,  
2 1970 (P.L.563, No.195), known as the Public Employe Relations  
3 Act, and up to 14 full-time business agents appointed by an  
4 employee organization that represents correction officers  
5 employed at State correctional institutions: Provided, That  
6 for elected full-time officers such leave shall not be for  
7 more than three consecutive terms of the same office and for  
8 up to 14 full-time business agents appointed by an employee  
9 organization that represents correction officers employed at  
10 State correctional institutions no more than three  
11 consecutive terms of the same office; that the employer shall  
12 fully compensate the member, including, but not limited to,  
13 salary, wages, pension and retirement contributions and  
14 benefits, other benefits and seniority, as if he were in  
15 full-time active service; and that the Statewide employee  
16 organization shall fully reimburse the employer for all  
17 expenses and costs of such paid leave, including, but not  
18 limited to, contributions and payment in accordance with  
19 sections 5501, 5505.1 and 5507, if the employee organization  
20 either directly pays, or reimburses the Commonwealth or other  
21 employer for, contributions made in accordance with section  
22 5507.

23 \* \* \*

24 § 5306. Classes of service.

25 \* \* \*

26 (b) Other class membership.--

27 (1) A State employee who is a member of a class of  
28 service other than Class A on the effective date of this part  
29 shall retain his membership in that class until such service  
30 is discontinued; any service thereafter shall be credited as

1 Class A service, Class AA service or Class D-4 service as  
2 provided for in this section.

3 (2) Notwithstanding any other provision of this section,  
4 a State employee who is appointed bail commissioner of the  
5 Philadelphia Municipal Court under 42 Pa.C.S. § 1123(a)(5)  
6 (relating to jurisdiction and venue) may, within 30 days of  
7 the effective date of this sentence or within 30 days of his  
8 initial appointment as a bail commissioner, whichever is  
9 later, elect Class E-2 service credit for service performed  
10 as a bail commissioner [after the effective date of this  
11 sentence]. This class of service multiplier for E-2 service  
12 as a bail commissioner shall be 1.5.

13 \* \* \*

14 ~~§ 5902. Administrative duties of the board.~~ <—

15 ~~(a) Employees.—~~

16 ~~(1) [Effective 30 days after the effective date of this~~  
17 ~~paragraph, the] The positions of the secretary, assistant~~  
18 ~~[secretary] secretaries and investment [professional]~~  
19 ~~professionals shall be placed under the unclassified service~~  
20 ~~provisions of the act of August 5, 1941 (P.L.752, No.286),~~  
21 ~~known as the Civil Service Act, as those positions are~~  
22 ~~vacated or created. All other positions of the board shall be~~  
23 ~~placed in either the classified or unclassified service~~  
24 ~~according to the definition of the terms under the Civil~~  
25 ~~Service Act.~~

26 ~~(2) Notwithstanding any other provisions of law, the~~  
27 ~~compensation of the secretary, assistant secretaries and~~  
28 ~~investment professionals shall be established by the board.~~  
29 ~~The compensation of all other officers and employees of the~~  
30 ~~board who are not covered by a collective bargaining~~

1 ~~agreement shall be established by the board consistent with~~  
2 ~~the standards of compensation established by the Executive~~  
3 ~~Board of the Commonwealth.~~

4 ~~\* \* \*~~

5 Section 2. Notwithstanding any other provision of law, the  
6 liability for any additional benefits established by the  
7 amendment of 71 Pa.C.S. § 5306(b) shall be funded in equal  
8 dollar annual payments over a period of ten years commencing  
9 July 1, 2007.

10 Section 3. This act shall apply as follows:

11 (1) The amendment of 71 Pa.C.S. § 5302(b)(2), insofar as  
12 it relates to business agents appointed by an employee  
13 organization representing correction officers at State  
14 correctional institutions, shall apply only to leaves of  
15 absence approved after December 31, 2006, for active members  
16 who are appointed as the business agents identified in  
17 section 5302(b)(2).

18 (2) The amendment of 71 Pa.C.S. § 5306(b) shall apply  
19 retroactively to January 26, 2004.

20 Section 4. This act shall take effect as follows:

21 ~~(1) The amendment of 71 Pa.C.S. § 5902(a) shall take~~ <—  
22 ~~effect in 30 days.~~

23 ~~(2)~~ (1) The following provisions shall take effect <—  
24 January 1, 2007:

25 (i) The amendment of 71 Pa.C.S. § 5302(b)(2).

26 (ii) Section 3(2) of this act.

27 ~~(3)~~ (2) The remainder of this act shall take effect <—  
28 immediately.