

(7) The act of May 15, 1945 (P. L. 526), entitled "An act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein, and for the protection and preservation of property connected therewith, and for the inspection of such equipment by the Department of Mines."

(8) The act of May 29, 1945 (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor, fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work; and making an appropriation therefor."

(9) The act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

(10) The act of December 28, 1951 (P. L. 1801), entitled "An act regulating the use of machinery powered by internal combustion engines or motors in coal mines."

(11) The act of April 4, 1956 (P. L. 1395), entitled "An act relating to the use of conveyor belts in coal mines; providing for the safety of persons employed therein and the protection of property connected therewith; conferring powers and imposing duties upon the Department of Mines; and prescribing penalties."

Section 1405. General Repeal.—All other acts and parts of acts are repealed in so far as they are inconsistent therewith.

APPROVED—The 10th day of November, A. D. 1965.

WILLIAM W. SCRANTON

No. 347

AN ACT

HB 1357

Amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes; amending, revising, consolidating and changing the laws relating thereto," extending the act to public school nurses attending parochial school children.

The General Assembly of the Commonwealth of Pennsylvania hereby

enacts as follows:

Section 1. Clause (7) of section 102, act of June 1, 1959 (P. L. 350), known as the "Public School Employes' Retirement Code of 1959," amended August 27, 1963 (P. L. 1287), is amended to read:

Section 102. Definitions.—The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

* * *

(7) "School employe" shall mean any teacher, principal, supervisor, supervising principal, county superintendent, district superintendent, assistant superintendent, any member of the staff of a public school or any clerk, stenographer, janitor, attendance officer or other person engaged in any work concerning or relating to a public school or in connection therewith or under contract or engagement to perform one or more of these functions, any public school nurse who attends to parochial school children, and any officer or employe of the Pennsylvania State University with previous membership and service credits in the retirement system, who elects to retain membership in the retirement system or to transfer membership and service credits from the State Employes' Retirement System according to the provisions of article VII, section 703: Provided, That no person shall be deemed a school employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods. For the purposes of this act, a full-time employe shall include employes of the board of education or board of school directors regularly engaged five (5) hours or more each school day for a period of three (3) consecutive months, or its equivalent in consecutive hours of service, and paid from funds of the school board or funds under the jurisdiction of the school board on an hourly, daily, monthly or annual basis.

In all cases of doubt, the retirement board shall determine whether any person is a school employe as defined in this act.

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Section 2. This act shall take effect immediately.

APPROVED—The 10th day of November, A. D. 1965.

WILLIAM W. SCRANTON