

## No. 2006-188

## AN ACT

SB 1285

Amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for credited State service and for classes of service.

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

Section 1. Sections 5302(b)(2) and 5306(b) of Title 71 of the Pennsylvania Consolidated Statutes are amended to read:

§ 5302. Credited State service.

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(b) Creditable leaves of absence.—

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(2) An active member on paid leave granted by an employer for purposes of serving as an elected full-time officer for a Statewide employee organization which is a collective bargaining representative under *the act of June 24, 1968 (P.L.237, No.111), referred to as the Policemen and Firemen Collective Bargaining Act, or the act of July 23, 1970 (P.L.563, No.195), known as the Public Employee Relations Act, and up to 14 full-time business agents appointed by an employee organization that represents correction officers employed at State correctional institutions*: Provided, That *for elected full-time officers* such leave shall not be for more than three consecutive terms of the same office *and for up to 14 full-time business agents appointed by an employee organization that represents correction officers employed at State correctional institutions no more than three consecutive terms of the same office*; that the employer shall fully compensate the member, including, but not limited to, salary, wages, pension and retirement contributions and benefits, other benefits and seniority, as if he were in full-time active service; and that the Statewide employee organization shall fully reimburse the employer for all expenses and costs of such paid leave, including, but not limited to, contributions and payment in accordance with sections 5501, 5505.1 and 5507, if the employee organization either directly pays, or reimburses the Commonwealth or other employer for, contributions made in accordance with section 5507.

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§ 5306. Classes of service.

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(b) Other class membership.—

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

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

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

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

Section 3. This act shall apply as follows:

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

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

Section 4. This act shall take effect as follows:

(1) The following provisions shall take effect January 1, 2007:

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

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

(2) The remainder of this act shall take effect immediately.

APPROVED—The 29th day of November, A.D. 2006.

EDWARD G. RENDELL