

so to do, said school teacher shall, upon charges preferred for such failure or omission, and proof of the same, before the board of school directors of the school district, be discharged]. *Any child shall be excused from such Bible reading, or attending such Bible reading, upon the written request of his parent or guardian.*

APPROVED—The 17th day of December, A. D. 1959.

DAVID L. LAWRENCE

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No. 701

AN ACT

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," providing for the purchase of credit for service in summer schools prior to membership in the retirement system; changing the income limitation for disability annuitants; and requiring school employes who are members of the General Assembly to give notice of election in certain cases.

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

Section 1. The act of June 1, 1959 (P. L. 350), known as the "Public School Employes' Retirement Code of 1959," is amended by adding, after section 207, a new section to read:

Public School  
Employes'  
Retirement  
Code of 1959.

Act of June 1,  
1959, P. L. 350,  
amended by  
adding a new  
section 207.1.

*Section 207.1. Credit for Service in Summer Schools Prior to Membership in the Retirement System.—Any present or future contributor who, prior to becoming eligible to join the retirement system, was employed to teach in summer schools conducted by school districts of the Commonwealth shall receive credit for one year of service for each thirty-six weeks of such employment: Provided, That he makes application according to the provisions of article V. section 505 subsection (3.1), and makes back contributions according to the provisions of article III. of section 302 subsection (5.1).*

Section 2. Section 302 of the act is amended by adding, after subsection (5), a new subsection to read:

Section 302 of  
the act, amended  
by adding a new  
subsection (5.1).

Section 302. Members' Contributions on Account of Past Service.—

\* \* \* \* \*

*(5.1) Any school employe entitled to credit under the provisions of article II. section 207.1 shall pay into the retirement fund an amount determined by multiplying the annual compensation for the school year during which he became a member of the retirement system by*

*the number of years of credited service allowed on account of employment in summer schools, by his current percentage of salary deductions, together with an additional amount as the equivalent of the contributions of the school district and the Commonwealth attributable to such service. The contributions, required to be paid for such service credit, may be paid in a lump sum or by installments agreed upon by the contributor and the retirement board. All such contributions shall be credited in equal amounts to the employes annuity savings account and the contingent reserve account.*

Subsection (4), section 405 of the act, amended.

Section 3. Subsection (4) of section 405 of the act is amended to read :

Section 405. Disability Allowances.—

\* \* \* \* \*

(4) Should a physician or physicians, designated by the retirement board, report and certify to the retirement board that a disability annuitant is no longer physically or mentally incapacitated for the performance of duty, or that such disability annuitant is able to engage in a gainful occupation, and should the retirement board concur in such report, then the amount of the State annuity shall be discontinued or reduced to an amount that shall be not in excess of the amount by which the amount of the last year's salary of the annuitant as a school employe, or five thousand dollars (\$5,000.00), whichever is greater, exceeds his present earning capacity.

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Subsection (8), section 503 of the act, amended.

Section 4. Subsection (8) of section 503 of the act is amended to read :

Section 503. Duties of the Retirement Board.—

\* \* \* \* \*

(8) In the event that a contributor who has complied with the provisions of article II. section 206 subsection (3) and article III. section 302 subsection (4) relating to military service or article II. section 207 and article III. section 302 subsection (5) relating to out-of-state service, or article II. section 207.1 and article III. section 302 subsection (5.1) relating to summer school service, separates from the retirement system otherwise than by retirement on account of superannuation, disability or withdrawal, the retirement board shall pay to him or a designated beneficiary, at his request, the amount paid by him on account of such military service plus accumulated interest or on account of such out-of-state service

or summer school service as the equivalent of the contributions of the school district and the Commonwealth.

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Section 5. Section 503 of the act is amended by adding, at the end thereof, a new subsection to read:

Section 503 of the act, amended by adding a new subsection (13).

Section 503. Duties of the Retirement Board.—

\* \* \* \* \*

(13) Upon receipt of notice from a contributor who is a member of the General Assembly and is a contributor in the State Employees' Retirement System on September 1, 1959, the retirement board shall not accept contributions from such member of the General Assembly and shall return to any such member an amount equal to the contributions paid into the fund computed from the date of becoming a contributor in the State Employees' Retirement System. Upon receipt of notice from a contributor who becomes a member of the General Assembly and a contributor in the State Employees' Retirement System subsequent to September 1, 1959, the retirement board shall not accept contributions from such member of the General Assembly. The retirement board shall certify to the State Employees' Retirement Board (i) that notice of election to the General Assembly has been received, and (ii) the age used to determine the contributor's rate of salary deductions to the retirement system. The Public School Employees' Retirement Board shall continue the crediting of statutory interest so long as such former contributor remains a contributor to the State Employees' Retirement System.

Section 6. Section 505 of the act is amended, by adding after subsection (3), a new subsection to read:

Section 505 of the act, amended by adding a new subsection (3.1).

Section 505. Duties of School Employees.—

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(3.1) Any school employe who desires to receive credit for service as provided by article II, section 207.1 shall make application, in writing, to the retirement board and shall (i) submit proof satisfactory to the retirement board of all or part of such service, and (ii) pay or agree to pay the back contributions provided for in article III, section 302 subsection (5.1).

Section 7. This act shall become effective immediately.

Act effective immediately.

APPROVED—The 17th day of December, A. D. 1959.

DAVID L. LAWRENCE