
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 867 Session of
2015

INTRODUCED BY M. DALEY, O'BRIEN, ACOSTA, BROWNLEE, READSHAW,
C. PARKER, DeLUCA, FRANKEL, KINSEY, SIMS AND McNEILL,
APRIL 1, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 1, 2015

AN ACT

1 Amending Titles 24 (Education) and 71 (State Government) of the
2 Pennsylvania Consolidated Statutes, in administration and
3 miscellaneous provisions, further providing for the Public
4 School Employees' Retirement Board; and, in administration,
5 funds, accounts, general provisions, further providing for
6 the State Employees' Retirement Board.

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

9 Section 1. Section 8501(a) of Title 24 of the Pennsylvania
10 Consolidated Statutes is amended to read:

11 § 8501. Public School Employees' Retirement Board.

12 (a) Status and membership.--The board shall be an
13 independent administrative board and shall consist of 15
14 members: the Secretary of Education, ex officio; the State
15 Treasurer, ex officio; two Senators; two members of the House of
16 Representatives; the executive secretary of the Pennsylvania
17 School Boards Association, ex officio; two to be appointed by
18 the Governor, one of whom shall be female unless the percentage
19 of female active, inactive and retired members of the system

1 exceeds 75%, then both shall be female and at least one of whom
2 shall not be a school employee or an officer or employee of the
3 State; three to be elected by the active professional members of
4 the system from among their number; one to be elected by
5 annuitants from among their number; one to be elected by the
6 active nonprofessional members of the system from among their
7 number; and one to be elected by members of Pennsylvania public
8 school boards from among their number. The appointments made by
9 the Governor shall be confirmed by the Senate and each election
10 shall be conducted in a manner approved by the board. The terms
11 of the appointed and nonlegislative elected members shall be
12 three years. The members from the Senate shall be appointed by
13 the President pro tempore of the Senate and shall consist of one
14 member from the majority and one member from the minority. The
15 members from the House of Representatives shall be appointed by
16 the Speaker of the House of Representatives and shall consist of
17 one member from the majority and one member from the minority.
18 In making legislative appointments, the President pro tempore of
19 the Senate and the Speaker of the House of Representatives shall
20 endeavor to ensure gender proportionality on the board to the
21 active, inactive and retired members of the system. The
22 legislative members shall serve on the board for the duration of
23 their legislative terms and shall continue to serve until 30
24 days after the convening of the next regular session of the
25 General Assembly after the expiration of their respective
26 legislative terms or until a successor is appointed for the new
27 term, whichever occurs first. The chairman of the board shall be
28 elected by the board members. Each ex officio member of the
29 board and each legislative member of the board may appoint a
30 duly authorized designee to act in his stead.

1 * * *

2 Section 2. Section 5901(a) and (b) of Title 71 are amended
3 to read:

4 § 5901. The State Employees' Retirement Board.

5 (a) Status and membership.--The board shall be an
6 independent administrative board and consist of 11 members: the
7 State Treasurer, ex officio, two Senators, two members of the
8 House of Representatives and six members appointed by the
9 Governor, one of whom shall be an annuitant of the system, for
10 terms of four years, subject to confirmation by the Senate. The
11 six members appointed by the Governor shall be in gender
12 proportion to the active, inactive and retired members of the
13 system, rounded to the closest one-sixth percentage. At least
14 five board members shall be active members of the system, and at
15 least two shall have ten or more years of credited State
16 service. The chairman of the board shall be designated by the
17 Governor from among the members of the board. Each member of the
18 board who is a member of the General Assembly may appoint a duly
19 authorized designee to act in his stead.

20 (b) Appointments and terms.--The two members elected by the
21 board and serving on the effective date of this title shall
22 continue to serve until the expiration of their respective
23 terms. The members of the Senate shall be appointed by the
24 President pro tempore of the Senate and shall consist of a
25 majority and a minority member. The members of the House of
26 Representatives shall be appointed by the Speaker of the House
27 of Representatives and shall consist of a majority and a
28 minority member. In making legislative appointments, the
29 President pro tempore of the Senate and the Speaker of the House
30 of Representatives shall endeavor to ensure gender

1 proportionality on the board to the active, inactive and retired
2 members of the system. The legislative members shall serve on
3 the board for the duration of their legislative terms and shall
4 continue to serve until 30 days after the convening of the next
5 regular session of the General Assembly after the expiration of
6 their respective legislative terms or until a successor is
7 appointed for the new term, whichever occurs first. Of the
8 remaining four appointees, one shall be appointed for an initial
9 term of two years, one for an initial term of three years, and
10 two for an initial term of four years. A vacancy occurring
11 during the term of an appointed member shall be filled for the
12 unexpired term by the appointment and confirmation of a
13 successor in the same manner as his predecessor.

14 * * *

15 Section 3. This act shall take effect in 60 days.