

SENATE BILL No. 180

February 9, 2005, Introduced by Senator STAMAS and referred to the Committee on Education.

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 6 (MCL 38.1306), as amended by 1995 PA 272.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) "Original member" means a member employed in
2 Michigan public schools before July 1, 1945.

3 (2) "Out of system public education service" means service
4 performed in public education meeting 1 or more of the following
5 requirements:

6 (a) Performed in other states in the United States or its
7 territorial possessions.

8 (b) Performed at the university of Michigan, Michigan state
9 university, Wayne state university, Grand Valley state university,

1 Oakland university, or Saginaw Valley university.

2 (c) Service purchased before January 31, 1991 and performed in
3 a juvenile training school operated by a county in this state.

4 (d) Service purchased before January 31, 1991 and performed in
5 a community mental health service program operated under former
6 ~~Act No. 54 of the Public Acts of 1963~~ **1963 PA 54** for the severely
7 mentally retarded in day care programs, day training programs, or
8 day care training programs that were transferred to an intermediate
9 school district by direction of the department of education.

10 (e) ~~Service~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS**
11 **SUBDIVISION, SERVICE** purchased before January 31, 1991 and
12 performed as an elementary or secondary teacher at a United States
13 armed forces military base in the United States or a foreign
14 country. **BEGINNING OCTOBER 1, 2005, SERVICE PERFORMED AS AN**
15 **ELEMENTARY OR SECONDARY TEACHER AT A UNITED STATES ARMED FORCES**
16 **MILITARY BASE IN THE UNITED STATES OR A FOREIGN COUNTRY IF THE**
17 **SERVICE WAS PERFORMED BEFORE JANUARY 31, 1991.**

18 (f) Service purchased before January 31, 1991 and performed as
19 a teacher or administrator of American nationals in overseas public
20 elementary or secondary schools operated by the United States
21 department of defense.

22 (g) Performed by a person who first becomes employed by an
23 institution of higher education described in section 4, 5, or 6 of
24 article VIII of the state constitution of 1963 on or after January
25 1, 1996.

26 (3) "Prior service" means service performed before July 1,
27 1945.

1 (4) Except as otherwise provided in this subsection, "public
2 school academy" means a public school academy established under
3 part 6a or 6b of the school code of 1976, ~~Act No. 451 of the~~
4 ~~Public Acts of 1976, being sections 380.501 to 380.507 and 380.511~~
5 ~~to 380.518 of the Michigan Compiled Laws~~ **1976 PA 451, MCL 380.501**
6 **TO 380.507 AND 380.511 TO 380.518.** Public school academy does not
7 include any of the following:

8 (a) A public school academy operated by a state public
9 university that is not subject to the optional retirement act of
10 1967, ~~Act No. 156 of the Public Acts of 1967, being sections~~
11 ~~38.381 to 38.388 of the Michigan Compiled Laws~~ **1967 PA 156, MCL**
12 **38.381 TO 38.388.**

13 (b) A public school academy corporation formed by a state
14 public university that is not subject to ~~Act No. 156 of the Public~~
15 ~~Acts of 1967~~ **THE OPTIONAL RETIREMENT ACT OF 1967, 1967 PA 156, MCL**
16 **38.381 TO 38.388.**

17 (5) Except as otherwise provided in this subsection, "public
18 school employee" means an employee of a public local school
19 district, intermediate school district, public school academy, tax
20 supported community or junior college, eastern Michigan university,
21 central Michigan university, northern Michigan university, western
22 Michigan university, Ferris state university, Michigan
23 technological university, Lake Superior state university, or
24 district library as defined in section 69g if the conditions in
25 section 69g(1) are met for that employee. Service at Michigan
26 technological university shall be creditable only if the amount of
27 the accumulated contributions in the state employees' retirement

1 system created by the state employees' retirement act, ~~Act No. 240~~
2 ~~of the Public Acts of 1943, being sections 38.1 to 38.48 of the~~
3 ~~Michigan Compiled Laws— 1943 PA 240, MCL 38.1 TO 38.69,~~ for service
4 is paid to the retirement system. Service at Ferris state
5 university shall be creditable as prior service or membership
6 service only if the employee was employed at Ferris state
7 university on a full-time basis for 2 or more years after May 17,
8 1949. Until January 1, 1988, public school employee also includes a
9 person holding a Michigan teacher certificate and serving as an
10 employee of the Michigan high school athletic association, other
11 than a person whose effective date of employment with the Michigan
12 high school athletic association is on or after December 31, 1986.
13 Public school employee includes a public school employee on an
14 approved leave of absence. Public school employee does not include
15 a person who first becomes employed by a university described in
16 this subsection on or after January 1, 1996.