

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 5468

(As passed the House, May 10, 2000)

A bill to amend 1980 PA 300, entitled  
"The public school employees retirement act of 1979,"  
by amending section 5 (MCL 38.1305), as amended by 1998 PA 123.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 5. (1) "Member" means a public school employee, except  
2 that member does not include any of the following:

3       (a) A person enrolled in a neighborhood youth corps program  
4 operated with funds from the federal office of economic opportu-  
5 nity or a person enrolled in a comparable youth training program  
6 designed to prevent high school dropouts and rehabilitate high  
7 school dropouts operated by an intermediate school district.

8       (b) A person enrolled in a transitional public employment  
9 program and employed by a reporting unit.

10       (c) A person employed by a reporting unit while enrolled as  
11 a full-time student in that same reporting unit.

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1 (d) A person who elects to participate in the optional  
2 retirement program under the optional retirement act of 1967,  
3 1967 PA 156, MCL 38.381 to 38.388.

4 (e) A retirant of this retirement system.

5 (f) A person, not regularly employed by a reporting unit,  
6 who is employed by a reporting unit through a summer youth  
7 employment program established pursuant to the Michigan youth  
8 corps act, 1983 PA 69, MCL 409.221 to 409.229.

9 (g) A person, not regularly employed by a reporting unit,  
10 who is employed by a reporting unit to administer a program  
11 described in subdivision (f), (h), (i), (j), or (k).

12 (h) After September 30, 1983, a person, not regularly  
13 employed by a reporting unit, who is employed by a reporting unit  
14 through participation in a program established pursuant to the  
15 job training partnership act, Public Law 97-300, 96 Stat. 1322 OR  
16 BEGINNING JULY 1, 2000, THE WORKFORCE INVESTMENT ACT OF 1998,  
17 PUBLIC LAW 105-220, 112 STAT. 936.

18 (i) A person, not regularly employed by a reporting unit,  
19 who is employed by a reporting unit through participation in a  
20 program established pursuant to the Michigan opportunity and  
21 skills training program ~~—, first established under sections 12 to~~  
22 ~~23 of 1983 PA 259~~ ADMINISTERED BY THE FAMILY INDEPENDENCE AGENCY  
23 AND THE DEPARTMENT OF CAREER DEVELOPMENT.

24 (j) A person, not regularly employed by a reporting unit,  
25 who is employed by a reporting unit through participation in a  
26 program established pursuant to the Michigan community service

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1 corps program, first established under sections 25 to 35 of 1983  
2 PA 259.

3 (k) A person, not regularly employed by a reporting unit,  
4 who is employed by a reporting unit through participation in a  
5 program established pursuant to the older American community  
6 service employment program under the older American community  
7 service employment act, title V of the older Americans act of  
8 1965, Public Law 89-73, 42 U.S.C. 3056 to 3056i.

9 (l) A person, not regularly employed by a reporting unit,  
10 who is employed by a reporting unit in a temporary, intermittent,  
11 or irregular seasonal or athletic position and who is under the  
12 age of 19 years.

13 (M) A PERSON, NOT REGULARLY EMPLOYED BY A REPORTING UNIT,  
14 WHO IS EMPLOYED BY A REPORTING UNIT ONLY IN A TEMPORARY POSITION  
15 TO ASSIST IN THE CONDUCT OF A SCHOOL ELECTION.

16 (2) "Membership service" means service performed after  
17 June 30, 1945.

18 (3) "Noncontributory plan" means the plan which began  
19 between July 1, 1974 and July 1, 1977, in which the reporting  
20 unit elected to discontinue withholding contributions from  
21 employees' compensation.

22 (4) "Noncontributory service" means credited service  
23 rendered under the noncontributory plan.

24 (5) "Nonteacher" means a person employed by a reporting unit  
25 who is not a teacher as defined in section 8(4).