

(ii) *The reduction shall not apply to compensation for total and permanent disability payable under subsection (b) of this section.*

(iii) *Whenever the amount of the reduction from the compensation shall have been once determined, it shall remain fixed for the duration of the compensation, except that any decrease in the primary insurance amount under the Social Security Act shall result in a corresponding decrease in the amount of the reduction from the compensation.*

(iv) *The total sum, including social security benefits, to be received upon retirement by an employe who is a member of the system at the time of the agreement, shall not be less than the compensation that would be paid by the retirement system in the absence of the agreement.*

APPROVED—The 14th day of June, A. D. 1957.

GEORGE M. LEADER

No. 173

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," giving certain employes the right to elect social security coverages; clarifying certain allowances and benefits when employes are placed under social security, and substituting "pension" for "retirement allowance."

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

The Third Class  
City Code.

Section 1. Section 4343, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted, revised and amended June 28, 1951 (P. L. 662), amended June 1, 1956 (P. L. 1966), is amended to read:

Section 4343,  
act of June 23,  
1931, P. L. 932,  
reenacted, re-  
vised and  
amended June  
28, 1951, P. L.  
662, amended  
June 1, 1956,  
P. L. 1966, fur-  
ther amended.

Section 4343. Retirement Allowance; Proof of Disability; *Joint and Single Coverage Members Defined.*—During the lifetime of any person in the employment of any city creating such pension fund and pension board as hereinbefore provided, he or she shall be entitled to receive as a pension annually, from the fund set aside for the purpose, fifty per centum of the amount which would constitute the average annual salary or wages which he or she received during the last five years of his or her employment by the said city, said pension to be paid in semi-monthly payments. Should any persons so employed, after twenty years of service, be dismissed, voluntarily retired, or be in any manner deprived of his or her position or employment, before attaining the age of sixty years, upon continuing a monthly payment

to the fund equal to the last amount due and paid monthly while in active service, said person shall be entitled to the pension above mentioned, notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the service of such city, but said pension shall not commence until he or she has attained the age of sixty years. Should any employe, however, become totally and permanently disabled, after twenty years of service and before attaining the age of sixty years, he or she shall be entitled to the said pension. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians, designated by the board, that the employe is in a permanent condition of health which would permanently disable him or her from performing the duties of his or her position or office.

*For the purpose of this article on pensions, the following words shall have the meaning herein assigned to them:*

*“Joint Coverage Member” of the retirement system shall mean a city employe who shall have become a member of the retirement system subsequent to the last date permitted by such city for statement of preference concerning social security coverage, or who, having become a member on or before such date, shall have filed with the Retirement Board a written statement that he or she elects social security coverage under an agreement with the Federal Secretary of Health, Education and Welfare entered into by the Commonwealth.*

*“Single Coverage Member” of the retirement system shall mean a city employe who shall have become a member of the retirement system on or before the last date permitted by such city for statement of preference concerning social security coverage and who either shall have filed with the Retirement Board a written statement that he or she does not elect social security coverage under any agreement with the Federal Secretary of Health, Education and Welfare entered into by the Commonwealth, or shall not have filed with the Retirement Board any written statement.*

Where a city has entered into an agreement with the Commonwealth to place [its] *certain* employes under the Federal Social Security Act, the pension to be paid *joint coverage members* according to the provisions of this section payable after the age and upon that portion of annual compensation on which social security benefits are payable, shall be reduced by an amount equal to forty (40) per centum of the primary insurance amount of social security paid or payable to the member [such]. *Such* reduction shall be subject to the following provisions:

(1) Upon attainment of the age at which social security benefits are payable by a beneficiary receiving a [retirement allowance for superannuation] *pension* or upon retirement of a contributor after attaining that age, his eligibility to the old age insurance benefit and the primary insurance amount of social security upon which the reduction in the [retirement allowance] *pension* shall be based, shall be computed by the board in the manner specified in the Federal Social Security Act, except that in determining such *eligibility and such* amount only wages or compensation for services performed in the employ of the city shall be included.

(2) *The reduction shall not apply to a pension for total and permanent disability payable under this section.*

[(2)] (3) Whenever the amount of the reduction from the [retirement allowance] *pension* shall have been once determined, it shall remain fixed for the duration of the [allowance] *pension*, except that any decrease in the primary insurance amount under the Social Security Act shall result in a corresponding decrease in the amount of the reduction from the [allowance] *pension*.

[(3)] (4) The total sum, including social security benefits, to be received upon retirement by an employe who is a member of the system at the time of the agreement shall not be less than the allowance that would be paid by the retirement system in the absence of the agreement.

APPROVED—The 14th day of June, A. D. 1957.

GEORGE M. LEADER

No. 174

AN ACT

Amending the act of May 16, 1951 (P. L. 300), entitled, as amended, "An act authorizing certain counties to establish fire training schools for the paid and volunteer firemen of municipalities within the county," limiting the amount certain counties may expend in any one year on training schools.

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

Section 1. Section 2, act of May 16, 1951 (P. L. 300), entitled, as amended, "An act authorizing certain counties to establish fire training schools for the paid and volunteer firemen of municipalities within the county," added May 15, 1956 (P. L. 1574), is amended to read:

Fire training schools.

Section 2, act of May 16, 1951, P. L. 300, added May 15, 1956, P. L. 1574, amended.