

cidental expenses, not otherwise provided in the general appropriations, and such funds may be expended without advertising for bids.

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

DAVID L. LAWRENCE

No. 360

AN ACT

Amending the act of May 22, 1935 (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines, and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," regulating credit for pension for previous employment by the city other than in the Bureau of Police, and pensions of employees employed within the Bureau of Police and less than five years, and further regulating pensions of reinstated members.

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

Cities of second class.

Section 1. The act of May 22, 1935 (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines, and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," is amended by adding, after section 10, a new section to read:

Act of May 22, 1935, P. L. 233, amended by adding a new section 10.1.

Section 10.1. Each person who shall become an employee of the Bureau of Police, after having been employed by the city other than in the Bureau of Police,

and who shall desire to have such previous service counted for eligibility to receive a pension under the provisions of section 13 of this act, shall be required to pay to the fund an amount equal to five per centum (5%) of his or her total salary or wages theretofore received by him or her, but in no event contributing more than twenty-five dollars (\$25) per month for each previous month of service for which he receives credit as an employee of the city, with interest at the rate earned by the fund during the period of such prior employment. Full payment of such amount shall be a condition precedent to the member receiving credit for all or any part of said period of previous service for eligibility to receive a pension. Such amount shall be collected from the monthly salary or wages of the member over the period of two years in the manner provided in clause (1) of section 10 of this act, or in such manner and period as the Board of Managers may determine. If, however, any such member shall be injured in the line of duty before he shall have made such full contribution for past service, so long as the disability continues he or she shall be eligible to pension under this act, but any amount which he or she shall not yet have paid to the fund as a contribution for past services under this section at the date of his or her injury, shall be paid, if the board, in its discretion, shall so determine, in such monthly payments as the board may determine, which amounts shall be deducted from his or her pension as and when monthly payments thereof shall be made.

Section 12 of the act, amended June 25, 1947, P. L. 919, further amended.

Section 2. Section 12 of the act, amended June 25, 1947 (P. L. 919), is amended to read:

Section 12. A member of the fund, who has severed his connection therewith and has subsequently again become a member thereof, shall be required to pay a re-admission fee of \$5.00 and to return to the fund, such monies as were paid to him from the fund when his membership in the fund was terminated with interest at the rate earned by the fund during the period.

Such re-admission fee and refund shall be collected from the monthly salary or wages of the reinstated member over the period of a year, in the manner provided for in sub-section (1) of section 10 hereof, or in such manner and period as the board of managers may determine. Full payment thereof shall be a condition precedent to the member being eligible to receive the benefits of the fund.

If, however, any such reinstated member shall be [injured] *totally and permanently disabled* in the line of duty before he shall have made such full restitution, [and if the disability caused by such injury shall continue beyond the period during which compensation

shall be paid to him, under the provisions of the Workmen's Compensation Act of Pennsylvania,] he shall be eligible to pension under this act; but any amount, in which he shall have been indebted to the fund at the date of his injury, shall be repaid, if the board, in its discretion, shall so require, in such monthly payments as said board may determine, which amounts shall be deducted from his pension, as and when monthly payments thereof shall be made.

Section 3. Section 14 of the act, amended February 1, 1956 (P. L. 979), is amended to read:

Section 14 of the act, amended February 1, 1956, P. L. 979, further amended.

Section 14. Pensions paid under the provisions of this act to beneficiaries who retire on or after January one, one thousand nine hundred fifty-six, shall equal not less than fifty per centum of the amount which would constitute the average monthly salary or wages [as] received by the [employees] *beneficiary as an employee* of the Bureau of Police during the highest paid five years in which time [the employee] *such beneficiary* made monthly contributions to the pension fund prior to his or her retirement. *In the event that any employee has not been employed in the Bureau of Police for at least five years, but is otherwise entitled to a pension, such employee's pension shall equal not less than fifty per centum of the amount which would constitute the average monthly salary or wages received by the beneficiary as an employee of the Bureau of Police but in no event shall such pension be less than two hundred dollars per month.* No pension paid pursuant to this section shall be computed on a monthly salary or wage in excess of five hundred dollars nor shall a pension be paid for a fraction of a service year. A service year shall be computed from the date of employment of the employee. Pension payments shall always be payable on the third working day of each month and shall be for the preceding month.

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

DAVID L. LAWRENCE

No. 361

AN ACT

Amending the act of March 6, 1956 (P. L. 1256), entitled "An act imposing a tax on the occupancy of rooms in hotels, inns, motels, tourist homes, houses, or courts, lodging houses and rooming houses, defined herein as hotels; prescribing the manner of collecting the tax; providing for licenses; imposing duties on and prescribing powers of the Department of Revenue; and fixing penalties," increasing the rate of tax.