

AN ACT

To further amend sections three and four of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (Pamphlet Laws, five hundred ninety-six), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by permitting retirement of employes on pension at less than sixty years of age in certain cases.

Cities of second class.

Pensions.

Section 3, act of May 28, 1915 (P. L. 596), as amended by act of May 14, 1925 (P. L. 742), further amended.

Section 1. Be it enacted, &c., That section three of an act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, five hundred ninety-six), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," as amended by section one of the act, approved the fourteenth day of May, one thousand nine hundred twenty-five (Pamphlet Laws, seven hundred forty-two), entitled "An act to amend sections three, four, five, nine, and eleven of an act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, five hundred ninety-six), entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pension,' changing the provisions of the act which regulate the payment of pensions, requiring certain things from the pensioners, and requiring the cities to set aside additional funds in certain cases," is hereby further amended to read as follows:

Application for retirement.

Section 3. Every person now or hereafter employed by the said cities, as herein provided, if any, of the age of sixty years and upwards, who shall have been so employed for a period of twenty years or more, shall, upon application to the board of pensions herein created, be retired from service, and shall during the remainder of his or her life receive the pension or compensation fixed by this act, subject to such qualifications as are herein contained: Provided, That if such person had been employed by the said city for a period covering eighteen years or more prior to the passage of this act and shall thereafter be re-employed, it shall be necessary that the period of his or her re-employment shall extend over a period of two years before such person shall be entitled to receive the pension fixed by this act: *And provided further, That any person employed by said city for a period of more than twenty years shall be allowed a deduction of one year from the age herein fixed for retirement for each five year period of service in excess of twenty years.*

Pension.

Proviso.

Deduction from retirement age based on length of service.

Section 2. That section four of said act as last amended by section one of the act, approved the thirty-first day of March, one thousand nine hundred twenty-seven (Pamphlet Laws, eighty-nine), entitled "An act to amend further sections four and five of an act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, five hundred and ninety-six), entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions,' by changing the provisions of the act which regulate the payment of pensions and the contributions of employes," is hereby further amended to read as follows:

Section 4, as amended by act of March 31, 1927 (P. L. 89), further amended.

Section 4. During the lifetime of the said person, he or she shall be entitled to receive a pension from the fund set aside for the purpose, fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city. Said pension shall be paid in monthly payments: Provided, That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided, during a period of twenty years, such person shall be required to pay unto the board of pensions monthly an amount equal to not less than two nor more than three per centum of his or her pension until such time as his or her contributions shall have extended during a period of twenty years. Should any person so employed, after twenty years of service, be dismissed, voluntarily retire, or be in any manner deprived of his or her position or employment before attaining the age *fixed for retirement by this act*, [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 *for retirement* [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] *such* age. [of sixty years.] Should any employe, however, become totally and permanently disabled after ten years of service, he or she shall be entitled to the said pension: Provided, That if any employe who has served less than ten years becomes totally and permanently disabled by reason of injury sustained in the actual performance of duty, such employe 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 totally disable him or her from performing

Amount of pension.

Proviso.

Before age fixed for retirement.

Total disability after 10 years service.

Proof.

Physician's statement.

the duties of his or her position or office. Once a year the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board, and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated and should the pension board concur in such report the pension to such beneficiary shall be discontinued. The pension paid to any one employe shall not exceed one hundred and twenty-five dollars per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month.

Section 3. This act shall become effective immediately after its passage, and approval by the Governor.

Medical examination.

Limit of payment.

When effective.

APPROVED—The 12th day of June, A. D. 1931.

GIFFORD PINCHOT

No. 185

AN ACT

Amending section nine of an act, entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one, creating a department of city planning; providing for its organization and powers; regulating the platting of ground; prohibiting the recording of plans and sales of lots therein before their approval, under penalties; making it a misdemeanor for the recorder of deeds to record an unapproved plan; restricting, accepting, laying out, opening and improving private streets; prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat; transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land, the reservation of locations of mapped streets for future use and authorizing the assessment of damages for same, the preparation and compilation of an official street map; providing penalties for the violation of this act; and repealing certain statutes," approved May thirteenth, one thousand nine hundred and twenty-seven (Pamphlet Laws, one thousand eleven), by defining the term "subdivision of land, plat and plan of lots."

Cities of second class.

Department of City Planning.

Section 9, act of May 13, 1927 (P. L. 1011), amended.

Section 1. Be it enacted, &c., That section nine of the act, entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one, creating a department of city planning; providing for its organization and powers; regulating the platting of ground; prohibiting the recording of plans and sales of lots therein before their approval, under penalties; making it a misde-