

No. 413

AN ACT

To amend subsection (b) of section 4 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (Pamphlet Laws 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," by limiting rights to involuntary retirement, and providing for the reinstatement of certain persons to, and the placing of others upon, the pension rolls of certain cities.

Pensions: Cities of 3rd class.

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

Subsection (b) of section 4, act of May 23, 1945, P. L. 903, amended.

Section 1. Subsection (b) of section 4 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (Pamphlet Laws 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," is hereby amended to read as follows:

Section 4.

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Involuntary retirement.

(b) Where an officer or employe shall have served for twelve (12) years, or more, and shall have attained the age of sixty (60) years, and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty (20) years of service, he shall, in such event, during the remainder of his life, be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service; where an officer or employe shall have served for twelve (12) years, or more, and shall not have attained the age of sixty (60) years, and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty (20) years of service, he shall, in such event, during the remainder of his life, after attaining the age of sixty (60) years, be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service; where an officer or employe who has served for twenty (20) years, or more, and his tenure of office or employment shall be terminated without his voluntary action, then he shall be entitled to full compensation for the remainder of his life, after attaining age fifty-five, and conditioned upon his continuing his contributions into the fund at the same rate as when he was dismissed until he attains age fifty-five.

Should an officer or employe, however, become so permanently disabled as to render him unable to perform the duties of his position or office after fifteen (15) years of service, and before attaining the age of fifty-five (55) years, he shall be entitled to full compensation during such disability. Proof of such disability shall consist of the sworn statement of three (3) practicing physicians, designated by the board, that the employe is in a condition of health which would permanently disable him from performing the duties of his position or office. Such person shall thereafter be subject to physical examination at any reasonable time or times, upon order of the board, and upon his refusal to submit to any such examination, his compensation shall cease.

Disability before 55 years of age, after 15 years of service.

Proof of disability.

Physical examination.

Section 2. Any officer or employe who was receiving a pension under the provisions of the act to which this is an amendment until dropped from the pension rolls as a result of the decision of the Supreme Court of Pennsylvania in the case of Alexander Altieri and others v. Allentown Officers' and Employes' Retirement Board, Nos. 137 and 140 January term, 1951, filed June 27, 1951, shall be entitled to reinstatement upon the said pension rolls; and any officer or employe who would have been entitled to receive a pension but for the lack of a fixed age in subsection (b) of section four of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (Pamphlet Laws 903), shall be entitled to pension payments upon qualifying and complying with the provisions of this law as herein amended.

Reinstatement of certain persons to pension rolls in certain cases.

Placing of certain persons on pension rolls in certain cases.

Section 3. The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 29th day of September, A. D. 1951.

JOHN S. FINE

No. 414

### AN ACT

To authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation, to receive, deposit and administer such assets for rural rehabilitation or other authorized purposes, and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets.

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

Department of  
Public  
Assistance.