

No. 248

AN ACT

Authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids and maintenance of civil air patrol aircraft.

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

Section 1. The Pennsylvania Aeronautics Commission is hereby authorized to expend State funds for the purchase of civil air patrol aviation education training aids, books and equipment, to defray maintenance and hangar rents of "on-loan" United States Air Force aircraft, to purchase maintenance supplies and equipment for the communications network for the civil air patrol.

Section 2. No expenditures of State funds for such purposes shall be made unless a purchase order is first approved by the Pennsylvania Aeronautics Commission. Said funds to be under jurisdiction and control of the commission.

Section 3. For the purposes of this act, no expenditure of State funds shall be authorized by the Pennsylvania Aeronautics Commission unless the purchase is specifically for civil air patrol aviation education training aids, books and equipment, to defray maintenance and hangar rent of "on-loan" United States Air Force aircraft of 190 horsepower or less, maintenance, supplies and equipment for civil air patrol communications network, and such administrative costs as may be approved by the commission.

Section 4. The provisions of this act shall become effective immediately upon final enactment.

Pennsylvania
Aeronautics
Commission.

Commission
authorized to
expend State
funds for pur-
chase of civil air
patrol aviation
education train-
ing aids, etc.

Purchase order
to be approved
by commission.

Prohibitions.

Act effective
immediately.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

No. 249

AN ACT

To further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting

annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "final salary" and changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement, and making such changes retroactive in certain cases.

State employes' retirement system.

Clause 17 of section 1, act of June 27, 1923, P. L. 858, as last amended by act of May 18, 1937, P. L. 683, further amended.

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

Section 1. Clause seventeen of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as last amended by the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 683), is hereby further amended to read as follows:

Definitions.

Section 1. Be it enacted, &c., That the following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

* * * * *

"Final Salary."

17. "Final Salary" shall mean the *highest* average annual salary earnable by a contributor as a State employe [for the five years of service immediately preceding retirement] *during any five years of service preceding retirement*, except, that at the member's option, the salary earnable by a contributor as a State employe for the years beginning June first, one thousand nine hundred thirty-three, and June first, one thousand nine hundred thirty-four, shall not be included in determining such "final salary."

* * * * *

Said act amended by adding, immediately following section 14, three new sections numbered 14.1, 14.2 and 14.3.

Section 2. Said act is hereby amended by adding, immediately following section fourteen, three new sections to read as follows:

Retirement as of Time of Death

Section 14.1. Any contributor who is entitled to retire under the provisions of this act, by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement

age, may file with the retirement board a written application for retirement, in the form required for such application, but requesting that such retirement shall become effective as of the time of his death, electing one of the options provided in section fourteen, and nominating a beneficiary under said option as required in said section.

In all such cases, the application shall be held by the retirement board until the contributor shall file a later application, in the usual manner, for retirement, or until the death of the contributor, occurring while in State service, at which time his retirement shall become effective with the same benefits to the designated beneficiary as if the contributor had retired on the day immediately preceding his death.

Retirement While in State Service

Section 14.2. Any contributor who is or was entitled to retire under the provisions of this act, by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age, and who shall die while in State service before filing with the retirement board a written application for retirement as heretofore provided, or has died and whose payments into the fund have not been withdrawn, shall be considered as having elected Option 1, as provided in section fourteen of this act, as of the date of his or her death. In such event, payment under Option 1 shall be made to the beneficiary designated in the nomination of beneficiary form on file with the retirement board. If said beneficiary has predeceased the contributor, payment under Option 1 shall be made to the legal representative of said contributor.

Section 14.3. The provisions of sections fourteen point one and fourteen point two shall apply to all contributors who became eligible for retirement before the first day of January, one thousand nine hundred fifty, and who have died since that date without having filed a written statement as required in sections thirteen and fourteen of the act to which this is an amendment: Provided, however, That application for payment of benefits shall be made within six (6) months of the effective date of this act.

Applicability of sections 14.1 and 14.2.

Proviso.

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

Act effective immediately.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE