

ously credited to him in the State Employes' Retirement Association in accordance with the act, as amended, establishing the Public School Employes' Retirement Association. Upon receipt of such request the State Employes' Retirement Board shall make such certification and transfer of funds.

Act effective immediately.

Section 3. This act shall take effect immediately.

APPROVED—The 17th day of May, A. D. 1956.

GEORGE M. LEADER

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No. 541

AN ACT

Limiting in certain cases the right of appeal to the court of common pleas from decisions of magistrates, aldermen and justices of the peace.

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

Limitation of the right of appeal in trespass cases.

Section 1. In every action of trespass before a magistrate, alderman or justice of the peace, in which a right of appeal from the decision thereof to the court of common pleas now exists, the right of appeal shall hereafter apply only where the judgment given by the magistrate, alderman or justice of the peace shall exceed the amount of one hundred dollars (\$100), excluding costs. In case the amount of the judgment does not exceed one hundred dollars (\$100), the judgment of the magistrate, alderman or justice of the peace shall be final except by petition to the court of common pleas for special allowance.

APPROVED—The 17th day of May, A. D. 1956.

GEORGE M. LEADER

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No. 542

AN ACT

Amending the act of May thirty-one, one thousand nine hundred forty-seven (Pamphlet Laws 377), entitled "A supplement to 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,' permitting certain State employes, who during the war were loaned to the United States Government and who have now returned to State employment, to pay into the retirement fund the amount of the contributions they would have made during such period, with interest, and prescribing how the Commonwealth shall build up the necessary State annuity reserves," providing for credit for time spent by employes of the Bureau of Unemployment Security in the Department of Labor and Industry as employes of the United States Government.

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

Section 1. Clause two of section one and sections two and three, act of May thirty-one, one thousand nine hundred forty-seven (Pamphlet Laws 377), entitled "A supplement to 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,' permitting certain State employes, who during the war were loaned to the United States Government and who have now returned to State employment, to pay into the retirement fund the amount of the contributions they would have made during such period, with interest, and prescribing how the Commonwealth shall build up the necessary State annuity reserves," are amended to read:

Section 1. Definitions.—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:

\* \* \* \* \*

2. "State employe who was loaned to the United States Government," shall mean (*i*) any person who was a "State employe" as defined in the act to which this is a supplement and who was an employe of the Commonwealth of Pennsylvania, paid on a yearly or monthly basis, and was loaned to The United States Government on or after January first, one thousand nine hundred

State employes' retirement system.

Clause 2, section 1, and sections 2 and 3, act of May 31, 1947, P. L. 377, amended.

Definitions.

forty-two, pursuant to the telegram from The President of the United States, dated the nineteenth day of December, one thousand nine hundred forty-one, to the Governor of the Commonwealth, requesting the loan of certain employes to The United States Government and who has now been returned to State employment in accordance with public law, five hundred forty-nine of the seventy-ninth congress of The United States; (ii) *any State employe, as defined in the act to which this is a supplement, who is employed in the Bureau of Employment Security of the Department of Labor and Industry and who was employed between July first, one thousand nine hundred thirty-three, and November fifteenth, one thousand nine hundred forty-six, by The United States Government, performing employment service functions in Pennsylvania offices of the National Reemployment Service or the State Employment Service of the Commonwealth and who, during that time, was not covered by any other retirement or pension system and including any employe who, while the employment service was on loan to The United States Government, was hired by The United States Government and was transferred to the Commonwealth on November sixteenth, one thousand nine hundred forty-six, in accordance with public law, five hundred forty-nine of the seventy-ninth congress of The United States, but shall not include any person who, while in the employment of The United States Government with respect to such employment, became a member of any retirement or pension system financed, in whole or in part, by funds of The United States Government and continued to receive credit in such other system for such service after his employment by the Commonwealth.*

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Section 2. (a) Any State employe who was loaned to the United States Government, as hereinbefore defined, and who has returned to State employment may elect to pay into the State Employes' Retirement Fund a sum equal to what would have been his total salary deductions [together with interest] during the said period of [loan to] *employment by the United States Government* calculated on the basis of his salary on the [date of such loan] *first date of his employment with the United States Government*. Such election shall be in writing on the form prescribed by the board, and it shall be filed with the board within [sixty (60) days] *six months* after the effective date of this *amending act*. The amount of said back payments [and interest] may be paid and credited to the annuity savings account either in a lump sum or by future increased deductions from his salary in such amounts as may be agreed upon

by the State employe and the board, but in no event shall such increased payroll deductions be in amounts less than sufficient to pay such total back payments [and interest] by the time the member reaches superannuation retirement age.

(b) *If wage records are not available for the entire time of the person's employment, the deductions for the period for which records are not available shall be computed by using the average of the earliest two year period for which records are available.*

(c) *The period of service of any State employe to whom this act applies while in the employment of the United States Government shall not be included in determining additional State annuity on retirement under the provisions of clause (d) of subsection (2) of section 13 of the act to which this is a supplement, as added by the act of January nineteenth, one thousand nine hundred fifty-two (Pamphlet Laws 2176).*

Section 3. Moneys required to build up the reserves necessary for the payment of State annuities of such employes [loaned to the Federal Government] who take advantage of this act shall be payable from the [Administrative] *Administration* Fund created under section six hundred two of the Unemployment Compensation Law, approved the fifth day of December, one thousand nine hundred thirty-six (Pamphlet Laws 2897, 1937). *The right of any State employe to take advantage of the provisions of these amendments shall be contingent on moneys in the Administration Fund being available for the payments required by this section.*

Moneys required for reserves, payable from Administration Fund created under act of December 5, 1936, P. L. 2897, laws of 1937.

APPROVED—The 17th day of May, A. D. 1956.

GEORGE M. LEADER

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No. 543

AN ACT

Amending the act of July eighteen, one thousand nine hundred seventeen (Pamphlet Laws 1043), entitled "An act establishing a public school employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing 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