

*ing into account the reduction applicable upon attainment of the age at which social security benefits are payable.*

APPROVED—The 8th day of July, A. D. 1957.

GEORGE M. LEADER

No. 300

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prescribing penalties for giving false information to telephone operators in certain cases.

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

Section 1. The act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended by adding, after section 871, a new section to read: Act of June 24, 1939, P. L. 872, amended by adding a new section 871.1.

*Section 871.1. Fraudulent Telephone Calls.—Any person, with intent to defraud, who in making a telephone call gives information to the operator or agent of any telephone company so that the charge therefor is made to the account of another without his authorization shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution or undergo imprisonment for thirty (30) days, or both.*

APPROVED—The 8th day of July, A. D. 1957.

GEORGE M. LEADER

No. 301

AN ACT

Amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," authorizing employees of the Commonwealth of Pennsylvania to become members of the county retirement system upon becoming county employees, providing for payments into the county retirement fund by former State, city, borough and township employees and by their former employers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Second Class County Code.

Subsections (e) and (f), section 1710, act of July 28, 1953, P. L. 723, added May 3, 1956, P. L. 1532, further amended.

Section 1. Subsections (e) and (f) of section 1710, act of July 28, 1953 (P. L. 723), known as the "Second Class County Code," added May 3, 1956 (P. L. 1532), are amended to read:

Section 1710. *Employes Eligible for Retirement Allowances.*—

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(e) Any person who became a county employe through the consolidation of a Department of Health of a city of the second class with a Department of Health of a county of the second class may have the period of his or her city employment credited as a county employe for all purposes under this article, *including any credit for United States military service for which such person of said city has been given credit for retirement benefits.* Such person shall, within three years from the effective date of the consolidation, make application to the board and, upon approval thereof, pay into the retirement fund the contributions which [the] *such* person would have been required to pay into the fund had [the] *such* person been a county employe from the date of his or her original employment in the city. The [principal] *gross sum* shall be paid into the retirement fund at one time and in one amount or, upon approval of the board, the [principal] shall be paid in twelve or less equal monthly installments or monthly balances] *gross sum shall be paid in twelve or less equal consecutive monthly installments.* Full payment thereof, *as well as the gross sum to be paid by the city as herein provided,* shall be a condition precedent to the county employe being eligible to receive the benefits of the retirement allowances. The city by which such person was formerly employed shall pay into the retirement fund an amount equal to the [principal] *gross sum* as paid into the said fund by the former city employe in accordance with the provisions of this article. *Included in said gross sum to be paid by such city, shall be an amount in payment for said employes' United States military service credit, if any, for retirement benefits, which amount shall be based on the contribution which such employe would have been required to pay into the retirement fund had he or she been a county employe during such period.* The city is herewith authorized and empowered to make an appropriation out of the funds of the city to pay into the retirement fund the necessary amounts as herein provided.

If such county employe leaves the employ of the county before he or she shall be eligible to receive the benefits of the retirement allowances, a refund of his or her contributions as paid into the retirement fund, *less the amount as paid by said city for United States mili-*

*tary service credit, if any, for retirement benefits, shall be made in accordance with the provisions of section one thousand seven hundred fourteen.*

(f) Any person [who is an employe of the Department of Health of the Commonwealth of Pennsylvania and a member of the State Employes' Retirement Association, as provided by the act of June twenty-seven, one thousand nine hundred twenty-three (Pamphlet Laws 858), its amendments and supplements, as well as any person] who is an employe of any city of the third class, borough or township, and who is a member of a retirement or pension system established by such city of the third class, borough or township, who shall *heretofore or hereafter* be employed by a department of health of a county of the second class, may have the period of his or her employment in any of the aforesaid municipalities credited as a county employe for all purposes under this article, *including any credit for United States military service for which such person of said municipalities has been given credit for retirement benefits.* Such person shall, within three years from the date of his or her employment in the county department of health, make application to the board and, upon approval thereof, pay into the retirement fund the contributions which such person would have been required to pay into the fund had such person been a county employe from the date of his or her original employment in any of the aforesaid municipalities. The [principal] *gross sum* shall be paid into the retirement fund at one time and in one amount or, upon approval of the board, the [principal] *gross sum* shall be paid in twelve or less equal *consecutive* monthly installments [on monthly balances]. Full payment thereof *as well as the gross sum to be paid by any city of the third class, borough or township or the retirement or pension board of such municipalities* shall be a condition precedent to the county employe being eligible to receive the benefits of the retirement [allowance. The Commonwealth of Pennsylvania or any] *allowances.* Any city of the third class, borough or township by which such person was formerly employed shall pay into the retirement fund an amount equal to the [principal] *gross sum* as paid into the fund by such former employe of any of the aforesaid municipalities in accordance with the provisions of this article. *Included in said gross sum to be paid by such municipalities, shall be an amount in payment for such employes' United States military service credit, if any, for retirement benefits, which amount shall be based on the contribution which such employe would have been required to pay into the retirement fund had he or she been a county employe during such period.*

[The Commonwealth of Pennsylvania any] *Any city of the third class, borough or township is herewith authorized and empowered to make an appropriation out of the funds of [the Commonwealth of Pennsylvania any] such city of the third class, borough or township to pay into the retirement fund the necessary amounts as herein provided, or any of the aforesaid municipalities which have an established retirement or pension system, the retirement or pension board thereof shall certify to the county board, upon request, the period of service as set forth in the records of such municipal retirement or pension board, the period of service for which credit has been allowed such former municipal employe, and to transfer to the county retirement fund a sum equal to all contingent and annuity reserves and accumulated deductions as recorded to the credit of its former employe in its retirement or pension system as determined by the retirement or pension board of such municipality, for the purpose of establishing credit in the County Employes' Retirement System under which he or she may receive credit in said system as a county employe for services previously credited to him or her in the aforesaid municipal retirement or pension system. Upon receipt of the aforesaid request, the retirement or pension board of such municipalities shall make such certification and transfer of funds to the County Employes' Retirement System as herein provided.*

If such county employe leaves the employ of the county before he or she shall be eligible to receive the benefits of the retirement allowances, a refund of his or her contributions as paid into the retirement fund less the amount as paid by such municipalities for United States military service credit, if any, for retirement benefits, shall be made in accordance with the provisions of section one thousand seven hundred fourteen.

Section 1710 of the act amended by adding a new subsection (g).

Section 2. Section 1710 is amended by adding, at the end thereof, a new subsection to read:

Section 1710. *Employes Eligible for Retirement Allowances.*—

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*(g) Any person who is an employe of the Department of Health of this Commonwealth and a member of the State Employes' Retirement Association, as provided by the act of June 27, 1923 (P. L. 858), its amendments and supplements, who has heretofore or shall hereafter be employed by a Department of Health of a county of the second class, may have the period of his or her former State employment credited as a county employe for all purposes under this article as hereinafter set forth.*

*Such person shall, upon employment in the county Department of Health, make application to the board within three years from the effective date of this amendment and, upon approval of said application, pay into the retirement fund the contributions which such person would have been required to pay into the fund had such person been a county employe from the date of his or her former employment in the Commonwealth as set forth in the records of the State Employes' Retirement Board.*

*The county board shall request the State Employes' Retirement Board to certify to it the period of service for which credit has been allowed, and to transfer to the county retirement fund a sum equal to all contingent and State annuity reserves and accumulated deductions as recorded to the credit of such former employe in the State Employes' Retirement Fund as determined by the State Employes' Retirement Board, for the purpose of establishing credit in the County Employes' Retirement System under which he or she may receive credit in said system as a county employe for services previously credited to him or her in the State Employes' Retirement Association. Upon receipt of the aforesaid request, the State Employes' Retirement Board shall make such certification and transfer of funds to the County Employes' Retirement System as herein provided.*

*If such county employe leaves the employ of the county before he or she shall be eligible to receive the benefits of the retirement allowances, a refund of his or her contributions as paid into the retirement fund shall be made in accordance with the provisions of section 1714.*

Section 3. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 8th day of July, A. D. 1957.

GEORGE M. LEADER

No. 302

AN ACT

Amending the act of May 3, 1933 (P. L. 227), entitled "An act authorizing stock corporations, with certain exceptions, to make provision for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital and capital stock of such