

Veterans of the United States, Incorporated, and to each organization of ex-service men, incorporated under the laws of this Commonwealth, in the respective cities or towns, a sum not to exceed three hundred dollars to aid in defraying the expenses of Memorial Day, Flag Day and Armistice Day. Where the Grand Army of the Republic has ceased to exist or to function, such appropriation may be made to the Sons of Union Veterans of the Civil War, or in the absence of such order, to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War. Such payments shall be made to defray actual expenses only. Before any payment is made, the organization receiving the same shall submit verified accounts of their expenditures.

APPROVED—The 12th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 242

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for the payment of service increments to firemen in addition to their pensions.

The Third Class
City Code.

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

Sections 4320
and 4322, act of
June 23, 1931,
P. L. 932, reen-
acted and amend-
ed June 28, 1951,
P. L. 662, fur-
ther amended.

Section 1. Sections 4320 and 4322, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662), are amended to read:

Section 4320. Firemen's Pension Fund; Management; Annuity Contracts.—Except as hereinafter provided, cities shall provide annuity contracts or establish, by ordinance, a firemen's pension fund, to be maintained in part by an equal and proportionate monthly charge against each member of the fire department, which shall not exceed annually three per centum of the pay of such member. In any case where there is an existing organization or association for the benefit of fully paid firemen, constituting and having in charge the distribution of firemen's pension funds, no annuity contract shall be provided, nor shall any firemen's pension funds be established under the provisions of this section unless and until the members of such organization or association, by a two-thirds vote, elect to transfer said existing fund

into the pension fund required to be established by this section.

All pension funds established under the provisions of this section shall be under the direction and control of a board of managers consisting of the mayor, the director of accounts and finance, the director of the department having charge of the fire department, or in cities where the mayor is also the director of the department having charge, of the fire department, then the director of public safety, the city controller and the chief of the bureau of fire, ex officio, and two members of the fire department to be chosen by the members of the fire department. Of the first managers so chosen by the members of the fire department one shall be chosen for a term of two years and one for a term of four years. Biennially thereafter one manager shall be chosen for a term of four years to take the place of the one whose term expires. In case of vacancy among the managers chosen by the fire department, a successor shall be chosen for the unexpired term. The fund shall be applied, under such regulations as the board of managers shall prescribe, for the benefit of such members of the fire department as shall receive honorable discharge therefrom by reason of service or age or disability and the families of such as may be killed in the service. All such pensions as shall be allowed to those who are retired by reason of the disabilities or of service or age shall be in conformity with a uniform scale, *together with service increments as hereinafter provided*. Benefits allowed from such fund to families of such as are killed in service shall take into consideration the member's widow and his minor children under eighteen years of age, if any survive.

Section 4322. [Maximum Amount of Pension] *Pensions and Service Increments*.—(a) Payments of pensions shall not be a charge on any fund in the treasury of the city or under its control save the firemen's pension fund herein provided for. The basis of the pension of a member shall be determined by the monthly salary of the member at the date of retirement, whether for disability, or by reason of age or service, and *except as to service increments provided for in subsection (b) of this section*, shall be one-half the annual salary of such member at the time of retirement computed at such monthly rate. In the case of the payment of pensions to members for permanent injury incurred in service, and to families of members killed in service, the amount and commencement of the payment of pensions shall be fixed by regulations of the board, which shall take into consideration the amount and duration of workmen's compensation allowed by law.

(b) In addition to the pension which is authorized to be paid from the firemen's pension fund by this act and notwithstanding the limitations therein placed upon such pensions and upon contributions, every contributor who shall become entitled to the pension may also be entitled to the payment of a "service increment" as hereinafter provided.

A "service increment" may be provided by the cities to be maintained, in part, by a monthly charge against each member. The monthly charge against each member shall be determined in accordance with and following an actuarial investigation into the mortality and service experience of the members, and on the basis of such investigation and evaluation, the cities may certify the rates of deduction from salary necessary to pay the "service increments" authorized under the provisions of this act.

APPROVED—The 14th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 243

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," authorizing the cutting or cropping of dogs' ears by veterinarians.

The Penal Code.

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

Section 947, act of June 24, 1939, P. L. 872, amended.

Section 1. Section 947, act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended to read:

Section 947. Cropping Ears of Dogs; Prima Facie Evidence of Violation.—Whoever crops or cuts off, or causes or procures to be cropped or cut off, the whole, or part of the ear or ears of a dog, [unless such person has in his or her possession a certificate of a duly licensed veterinarian, stating that such cropping or cutting is necessary for the health of the dog,] or shows or exhibits or procures the showing or exhibition of any dog whose ear is or ears are cropped or cut off, in whole or in part, unless the person showing such dog has in his possession either a certificate of a [duly licensed] veterinarian stating that such cropping was [necessary for the health of the dog,] *done by the veterinarian* or a certificate of registration from a county treasurer, showing that such dog was cut or cropped before this section became effective, shall, upon conviction thereof in a summary pro-