

Section 13. Members of the fund shall be eligible to receive pensions from said fund as follows—

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(5) Any member, who has been admitted to membership in this fund, who has become totally and permanently disabled after fifteen years of service, shall be entitled to said pension. Any member having served less than fifteen years, who has become totally and permanently disabled by reason of injury sustained in the actual performance of duty, shall be entitled to pension payments in amounts which, together with any payments he receives under The Pennsylvania Workmen's Compensation Act or The Pennsylvania Occupational Disease Act will equal fifty per cent of his final salary, provided such combined payments shall be not less than two hundred dollars (\$200) per month and not more than two hundred fifty dollars (\$250) per month. Such service shall include service in the armed forces of the United States in time of war, or active service in the Pennsylvania State Militia when it has been mobilized for internal policy duty. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. Once a year, the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated, and should the pension board concur in such report, the pension payments to such beneficiary shall be discontinued.

Payments for disability shall be made on or after July 1, 1959.

Section 2. This act shall take effect immediately.

Act effective immediately.

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

DAVID L. LAWRENCE

No. 250

AN ACT

Reenacting and amending sections 11 and 11.1, act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof;

providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," providing when pension payments to disabled members of the pension fund shall first be made.

Cities of second class.

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

Sections 11 and 11.1, act of May 25, 1933, P. L. 1050, amended May 13, 1959, Act No. 57, re-enacted and amended.

Section 1. Sections 11 and 11.1, act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and *securities in existing funds in similar boards superseded by the fund and board herein created," amended May 13, 1959 (Act No. 57), are reenacted and amended to read:

Section 11. Members of the fund shall be eligible to pension under said fund upon written application of such member, stating his desire to withdraw from service in said city, which application shall show that such employe has rendered at least twenty years service to the said city, at least one year of which was immediately prior to his application, but which does not otherwise necessitate continuous service but that such service shall total twenty years and shall include and may include service in the armed forces of the United States in times of war, or active service in the Pennsylvania State Militia when said militia has been mobilized for **internal police duty.

Section 11.1. In addition to applicants eligible for pension pursuant to section eleven of this act, any member who has been admitted to membership in this fund, who has become totally and permanently disabled after fifteen years of service, shall be entitled to the said pension. Any member having served less than fifteen years, who has become totally and permanently disabled by reason of injury sustained in the actual performance of duty, shall be entitled to pension payments in amounts which, together with any payments he receives under "The Pennsylvania Workmen's Compensation Act" or "The Pennsylvania Occupational Disease Act," will equal fifty per centum of his final salary, provided such combined payments shall be not less than two hundred dollars (\$200) per month and not more

* "and" in original.

** "general" in original.

than two hundred fifty dollars (\$250) per month. Such service shall include service in the armed forces of the United States in times of war, or active service in the Pennsylvania State Militia when it has been mobilized for internal policy duty. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. Once a year, the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board, and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated, and should the pension board concur in such report, the pension payments to such beneficiary shall be discontinued.

Payments to disabled members shall be made on or after July 1, 1959.

Section 2. This act shall take effect immediately.

Act effective immediately.

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

DAVID L. LAWRENCE

No. 251

AN ACT

Amending the act of May 17, 1921 (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," imposing restrictions upon payment or division of commissions.

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

Section 1. Section 212, act of May 17, 1921 (P. L. 789), known as "The Insurance Department Act of one thousand nine hundred and twenty-one," amended May 25, 1951 (P. L. 406), is amended to read:

The Insurance Department Act of one thousand nine hundred and twenty-one.

Section 212, act of May 17, 1921, P. L. 789, amended May 25, 1951, P. L. 406, further amended.

Section 212. Effect of Additional Restrictions of Other States.—As used in this section the term—