

*other land of a like or comparable value deemed by the department to be of greater advantage for State park purposes.* Such lands may be purchased or accepted, subject to the conditions of any such lease and subject to such reservations, if any, of mineral rights, rights of way, or other encumbrances as the department may deem not inconsistent with such holdings: Provided, however, That the amount expended for the acquisition of lands for State park purposes shall not exceed the amount specifically appropriated for such purposes;

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APPROVED—The 19th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 229

AN ACT

Amending the act of May 22, 1935 (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

**Cities of second class—Police Retirement Fund.**

Clause (5), section 13, act of May 22, 1935, P. L. 233, re-enacted and amended August 14, 1959, P. L. 714, further amended.

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

Section 1. Clause (5) of section 13, act of May 22, 1935 (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such

additional monies as may be necessary to carry out the provisions of this act," reenacted and amended August 14, 1959 (P. L. 714), is amended to read:

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 police 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, *or the \*disability pensioner may demand,* a medical examination by three physicians appointed by the board *and approved by the civil service commissioners,* 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, *and the beneficiary shall be reinstated to the position he formerly held or be returned to active duty in the next vacancy that occurs: Provided, That the beneficiary has been found to be fully qualified to perform the duties required in the position to which reinstatement or appointment is made.*

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

Section 2. This act shall take effect immediately.

APPROVED—The 19th day of June, A. D. 1961.

DAVID L. LAWRENCE

\* "disability" in original.