

of one, two, three, four, and five years, respectively, from the date of their appointment, as shall be specified at the time of their appointment. Thereafter the term of office shall be five years. The two additional members to be appointed in cities of the second class shall serve for terms of five years. A member shall hold office until his successor has been appointed. Vacancies for unexpired terms shall be promptly filled by the appointing power. A member shall receive no compensation for his services, but he shall be entitled to the necessary expenses, including travelling expenses incurred in the discharge of his duties.

Section 2. This act shall take effect immediately.

APPROVED—The 21st day of March, A. D. 1968.

RAYMOND P. SHAFER.

No. 26

AN ACT

HB 1877

Amending the 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its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," changing the compensation of the secretary-treasurer of the board, providing for the disposition of a deceased member's contributions where not otherwise provided for under this act; and authorizing the board to accept the certification of the administrator of a hospital operated by the United States and the Commonwealth of Pennsylvania or any of its political subdivisions as to the permanent disability of a member.

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

Section 1. Section 5, 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its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," amended May 22, 1951 (P. L. 328), is amended to read:

Section 5. The director of the department of public safety shall be the president of said board; the chief clerk of the department of

public safety shall be the secretary-treasurer of said board, for the performance of which services he shall be paid [the sum of one hundred fifty dollars per month;] such compensation as may be fixed by the board; and the city solicitor shall be the attorney and legal counsel of said board, but shall receive no additional compensation therefor. The board shall elect from among its members a vice president, who shall serve without compensation and shall perform the duties of the president during his absence.

Section 2. Subsection (d) of section 9.2, subsection (d) of section 9.3, and section 11.1 of the act, amended November 9, 1965 (P. L. 679), are amended to read:

Section 9.2. Married Persons; Pension to Surviving Spouse.—

* * *

(d) In the event there is no surviving spouse, or the surviving spouse dies or remarries while receiving payments under this section, and where there are dependent children of the deceased member of the fund, the board may pay to each such dependent child twenty-five per centum of the pension earned by the deceased member until each such child attains the age of eighteen or marries or dies: Provided, That the board may indefinitely continue payments to a dependent incompetent child. Where the sums payable to dependent children under this section are equal to the maximum pension to which the widow would be entitled, it shall be divided equally among the children entitled thereto. In the event there are no surviving children or no widow entitled to receive the payments provided for in this act, any dependent parents of the deceased member shall receive the monthly payments the widow would have received had she survived and not remarried. In the event that there are no surviving children, widow or dependent parents entitled to receive the payments provided for in this act, the deceased member's contributions or the remainder of his contributions shall be paid to his estate.

Section 9.3. * * *

(d) In the event there is no surviving spouse or the surviving spouse dies or remarries and where there are dependent children of the deceased member of the fund, the board may pay to each such dependent child twenty-five per centum of the pension earned by the deceased member until each such child attains the age of eighteen or marries or dies: Provided, That the board may indefinitely continue payments to a dependent incompetent child. Where the sums payable to dependent children under this section are equal to the maximum pension to which the widow would be entitled, it shall be divided equally among the children entitled thereto. In the event there are no surviving children or no widow entitled to receive the payments provided for in this act, any dependent parents of the deceased member shall receive the monthly payments the widow

would have received had she survived and not remarried. In the event that there are no surviving children, widow or dependent parents entitled to receive the payments provided for in this act, the deceased member's contributions or the remainder of his contributions shall be paid to his estate.

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 person who has become totally and permanently disabled by reason of injury sustained in the actual performance of duty, shall be entitled to such pension. Such service shall include service in the armed forces of the United States in times of war or armed conflict, 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. If the employe is a patient in a hospital operated by the United States, the Commonwealth of Pennsylvania, or any political subdivision thereof, the board may accept the sworn statement of the administrator of such hospital that the members of the medical staff of such hospital attending said employe are of the opinion that said 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, or sooner if recommended by a physician, the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board, or if the pensioner is a patient in a hospital operated by the United States, the Commonwealth of Pennsylvania, or any political subdivision thereof, the board may require from the administrator of such hospital additional certification as to the continuance of the disability of said employe, and should such physicians or administrator 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 when the beneficiary is returned to active duty or has refused to return to active duty.

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

Section 3. All acts and parts of acts inconsistent herewith are repealed.

Section 4. This act shall take effect immediately.

APPROVED—The 21st day of March, A. D. 1968.

RAYMOND P. SHAFER.

No. 27

AN ACT

SB 771

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for the bond to be given by issuing agents.

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

Section 1. The second paragraph of section 311, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended March 9, 1945 (P. L. 39), is amended to read:

Section 311. Agents to Collect and Remit License Fees; Reports; Compensation.— * * *

Every agent designated to issue hunters' licenses, unless already under bond to cover the handling of public funds, shall give bond to the Commonwealth in such sum as shall be fixed by the Secretary of Revenue, but not less than [one thousand dollars (\$1,000.00) nor more than three thousand dollars (\$3,000.00)] three thousand dollars (\$3,000.00) for each place where licenses are issued before the annual supply of licenses is delivered to him. If an agent has more than one place where licenses are issued he may supply a blanket bond covering all places.

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APPROVED—The 21st day of March, A. D. 1968.

RAYMOND P. SHAFER.