

purchase with the industrial tenant or industrial purchaser sufficient to insure the repayment of the loan of the Authority made pursuant to this subsection (b).

(5) The proceeds of the Authority loan to the industrial development agency made pursuant to this subsection (b) shall be used only to pay a part of the cost of establishing an industrial development project in furtherance of the public purposes of this act.

(c) The Authority may, in critical economic area A and area B, contract to loan to an industrial development agency in respect of an industrial development project in which the Authority heretofore participated an amount which, together with the prior loan of the Authority, is not in excess of (40%) of the cost of such industrial project, determined as of the time of the disbursement of the prior Authority loan, if at the time of making such loan under this subsection (c) the Authority has determined:

* * *

Section 4. This act shall take effect immediately.

APPROVED—The 5th day of May, A. D. 1965.

WILLIAM W. SCRANTON

No. 38

A SUPPLEMENT

HB 91

To the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," as to employes of second class A cities, reducing the number of years of employment to qualify for a pension; and increasing pension payments and contributions.

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

Section 1. Every person now or hereafter employed by cities of the second class A as herein provided, if any, of the age of sixty years and upwards, who shall have been so employed for a period of fifteen years or more, and have contributed to the fund for twenty years or more, shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life

receive the pension or compensation fixed by this act, subject to such qualifications as are herein contained.

Section 2. (a) During the lifetime of the said person, he or she shall be entitled to receive a pension from the fund set aside for the purpose, at a rate equal to seventy-five per centum¹ of the amount which would constitute the average rate of pay received during the last five years of his or her employment² by the said city, payable monthly, but in no case shall the pension payable to any one payable employe exceed one hundred and fifty dollars (\$150) a month. Such pension shall be payable to any person so employed for fifteen years or more by the city when such person shall attain the age of sixty years; should any person so employed, after fifteen years of service, voluntarily retire, be dismissed, or be in any way deprived of his or her employment with the city before attaining the age of sixty years, he or she shall be entitled to the pension after retirement upon continuing a monthly payment to the fund equal to the last amount due and payable while in active service. If any pension be granted to a person who has not been a contributor to the pension fund as herein provided for the period of twenty years but has contributed for³ at least fifteen years, such person shall be required to pay unto the board of pensions an amount equal to three per centum of the last monthly salary paid to such person, but not in excess of six dollars (\$6) per month, multiplied by the number of months necessary to complete the twenty-year period, with interest, or in the alternative, after so computing the amount needed to complete the twenty-year period, the board may withhold the payment of pension until such amount has been refunded to the board of pensions.

(b) In the event any employe becomes totally and permanently disabled after ten years of service and before attaining the age of sixty years, he or she shall forthwith be entitled to such pension upon making the contribution as aforesaid. Proof of total and permanent disability shall consist of a 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. The board of pensions may, not more frequently than once a year, 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

¹ "(75%)" in original deleted.

² "of" in original.

³ "a" in original.

concur in such report, the pension of such beneficiary shall be discontinued.

Section 3. The city employes and contributing members to the fund shall after the passage of this act pay unto the board of pensions monthly an amount equal to three per centum of their monthly salaries or wages, in no event, however, paying at a rate greater than six dollars (\$6) a month, which shall be applied to the purpose of this act. Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided, except for contributions required to be made to complete a twenty-year period of contribution, as provided in subsections (a) and (b) of section 2 of this act. If for any cause an employe contributing to the pension fund shall cease to be an employe of any such city of the second class A before said employe becomes entitled to the pensions conferred by this act, the total amount of the contributions paid into the pension fund by such employe shall be refunded to him or her in full, without interest; provided, however, if any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter the employ of such city, said employe shall not be entitled to the pension designated until twenty years after said re-employment unless he or she shall return to the pension fund the amount withdrawn, plus interest, in which event the period of twenty years shall be computed from the time said employe first entered the service of said city. In the event of the death of any such employe before the said employe becomes entitled to the pension aforesaid, the said total amount of contributions aforesaid shall be paid over to the estate of the said deceased employe or his or her designated beneficiary. In the event of the death of any employe collecting the pension aforesaid, the total amount of contributions over and above that paid to the deceased employe shall be paid over to the estate of the said deceased employe, or his or her designated beneficiary.

Section 4. The time of service herein specified, namely, fifteen years, shall be computed from the time of the first or original employment, said employment to consist of service to such city of the second class A and need not be continuous.

Section 5. This act shall take effect immediately.

APPROVED—The 7th day of May, A. D. 1965.

WILLIAM W. SCRANTON