

the proper alderman, justice of the peace or magistrate and prefer charges against him under the laws of the Commonwealth.

APPROVED—The 28th day of September, A. D. 1965.

WILLIAM W. SCRANTON

No. 288

AN ACT

SB 760

Amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," clarifying the provisions of existing law; granting retirement credit to certain persons taking leaves of absence; providing increases for certain retired employes and defining re-employment.

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

Section 1. Section 10, act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," amended August 28, 1959 (P. L. 769) and December 16, 1959 (P. L. 1851), is reenacted and amended to read:

Section 10. Service Allowance.—In computing the length of service of a contributor for retirement purposes, full credit shall be given to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established. This shall include the services of a county official whose compensation was in the form of fees collected by his office; and shall also include the services of employes paid directly by such county official out of such fees. Full credit shall also be given for each year of service of a contributor who was a per diem employe of the county for a period of at least five years prior to the time the system became effective and who averaged at least two hundred days of employment in each of such years. As soon as practicable, the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year retirement system was established. Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member. The retirement board may also give credit to any person who was a

county employe for each year that he was employed for at least two hundred days per year, on a per diem basis, for the purpose of the computation of his retirement credit upon payment by the employe of the amount which the retirement board determines should have been his contribution during such period. Such payment may be made in installments over a period fixed by the retirement board. The time during which a member is absent from service without pay [shall not] may be counted in computing the service of a contributor [unless] if allowed by the county commissioners and approved by the board and if the employe pays both his personal contribution and the county's contribution into the fund based upon the contributions made the year immediately preceding the leave of absence.

Section 2. The act is amended by adding after section 16, a new section to read:

Section 16.1. Increase of Allowances and the County Share for Certain Employes.—When the board has adopted the one eightieth class the county may in the case of an employe who has retired and has his monthly allowance calculated under that class provide that the minimum retirement allowance shall be seventy-five dollars (\$75) for each year in that class, not to exceed two thousand seven hundred dollars (\$2700) per year. If he had his monthly allowance calculated under the one one-hundredth class the county may provide that the minimum retirement allowance shall be sixty dollars (\$60) for each year in that class, not to exceed two thousand one hundred sixty dollars (\$2160) per year. If he had his monthly allowance calculated under the one one-hundred-twentieth class the county may provide that the minimum retirement allowance shall be fifty dollars (\$50) for each year in that class, not to exceed one thousand eight hundred dollars (\$1800) per year.

Section 3. Section 17.1 of the act, added August 5, 1941 (P. L. 840), is amended to read:

Section 17.1. Simultaneous Payments of Salary and Retirement Allowance.—Should a person receiving a superannuation retirement allowance or an involuntary retirement allowance or a total disability retire-

ment allowance be re-employed by the county, the retirement allowance of such person shall immediately cease. Such person shall thereupon be reinstated as a contributor, and there shall be restored to his credit as accumulated deductions the actuarial value of his member's annuity computed as of the date of his re-employment. Should he refuse to surrender his right to retirement allowance as of the date of his re-employment, then it shall be unlawful for the county to re-employ him. For the purposes of this section if a person serves as a juror, master, or arbitrator or is employed on a per diem basis for thirty days or less per year he shall not be deemed re-employed.

APPROVED—The 28th day of September, A. D. 1965.

WILLIAM W. SCRANTON

No. 289

AN ACT

SB 926

Amending the act of July 8, 1941 (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," granting retirement credit for certain employment and during leaves of absence, increasing allowances and the county share for certain employes, and further defining reemployment.

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

Section 1. Section 11, act of July 8, 1941 (P. L. 298), known as the "Fourth Class County Retirement Law," amended June 28, 1947 (P. L. 1066), is amended to read:

Section 11. Service Allowance.—In computing the length of service of a contributor for retirement purposes, full credit shall be given to each original member for each year of service rendered to the county prior to the time the system became effective. This ¹ shall include the service of a county official whose compensation was in the form of fees collected by his office and shall also include the service of employes paid directly by such county official out of such fees. Full credit shall also be given for each year of service of a contributor who was a per diem employe of the county for a period of at least five years prior to the time the system became effective, and who averaged at least two

¹ "act" in original.