

## No. 56

## AN ACT

To amend the title and certain sections of the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred twenty-three), entitled "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police, and conforming said act to existing law.

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

Title and sections 1, 2, 4, 6, 9 and 10, act of June 29, 1937, P. L. 2423, amended.

Section 1. The title of the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred twenty-three), entitled "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," is hereby amended to read as follows:

## AN ACT

Establishing a Pennsylvania [Motor] *State* Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of\* certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania [Motor] *State* Police and the Commonwealth; providing for the guarantee by the Commonwealth of

\* "of" omitted in original.

certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

Section 2. Sections one, two, four, six, nine and ten of said act, are hereby amended to read as follows:

Section 1. Be it enacted, &c., That the following words and phrases, as used in this act, shall be construed to have the following meanings:

“Accumulated Deductions,” the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to his credit in the fund, together with the regular interest thereon. Definitions.

“Beneficiary,” any person in receipt of a retirement allowance under this act.

“Board,” the State Employes’ Retirement Board of the [Treasury Department] *Department of State*.

“Contributor,” any person who has accumulated deductions in the fund standing to his credit.

“Final Salary,” the average annual compensation earnable by a contributor, before any deductions have been made, and exclusive of maintenance allowances and expenses, for the five years of service immediately preceding retirement, or, in the event a member has not served five years, the total retirement compensation earnable divided by the number of years served.

“Fund,” the State Employes’ Retirement Fund.

“Member’s Annuity,” payments for life derived from contributions made by the contributor.

“[Motor] *State Police*,” the Pennsylvania [Motor] *State Police*.

“Original Member,” a person employed by the Pennsylvania State Police or the State Highway Patrol prior to January first, one thousand nine hundred and twenty-five, and who is an employe of the Pennsylvania [Motor] *State Police*.

“New Member,” a person who became a member of the Pennsylvania State Police, or the State Highway Patrol, or the Pennsylvania Motor Police, subsequent to December thirty-first, one thousand nine hundred and twenty-four.

“Prior Service,” shall mean service prior to January first, one thousand nine hundred and twenty-four.

“Regular Interest,” interest at the rate of four per centum compounded annually.

“Retirement Allowance,” the State annuity plus the member’s annuity.

“State Annuity,” payments for life derived from contributions made by the Commonwealth.

“Superannuation Retirement Age” shall mean at least—(a) sixty years of age during the year one thousand nine hundred and thirty-eight; (b) fifty-nine years of age during the year one thousand nine hundred and thirty-nine; (c) fifty-eight years of age during the year one thousand nine hundred and forty; (d) fifty-seven years of age during the year one thousand nine hundred and forty-one; (e) fifty-six years of age during the year one thousand nine hundred and forty-two; (f) fifty-five years of age during the year one thousand nine hundred and forty-three; (g) fifty-four years of age during the year one thousand nine hundred and forty-four; (h) fifty-three years of age during the year one thousand nine hundred and forty-five; (i) fifty-two years of age during the year one thousand nine hundred and forty-six; (j) fifty-one years of age during the year one thousand nine hundred and forty-seven; and (k) fifty years of age during the year one thousand nine hundred and forty-eight or any subsequent year.

Retirement system established.

Section 2. [Motor] *State Police Retirement System.*—A retirement system is hereby established for the members of the Pennsylvania [Motor] *State Police*, which system shall be administered by the State Employees’ Retirement Board of the [Treasury Department] *Department of State*.

Payments and contributions.

Section 4. Payments into State Employees’ Retirement Fund.—All appropriations made by the Commonwealth out of the Motor License and General Funds, all contributions by members of the [Motor] *Pennsylvania State Police* in the amount hereinafter specified, and all interest on and increase of the investments and moneys under this act shall be paid into the State Employees’ Retirement Fund, and shall be credited to the proper accounts in said fund as provided by law applying to said fund. The Commonwealth shall, on receiving the certification of the board, periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act.

Membership.

Section 6. Compulsory Membership.—Every member of the Pennsylvania [Motor] *State Police* having police power shall be required to become a member of the retirement system established by this act on January first, one thousand nine hundred and thirty-eight, and thereafter when first becoming a member of the Motor Police *or\** *Pennsylvania State Police*. Contributions by members under this act shall commence with the first payroll after January first, one thousand nine hundred and thirty-eight. If any person who [becomes] *became* a member of the Motor Police subsequent to January

\* “or” Roman in original.

first, one thousand nine hundred and thirty-eight, or any person who becomes a member of the Pennsylvania State Police subsequent to June first, one thousand nine hundred forty-three, shall have been at any time theretofore in the Commonwealth's employ, he shall receive credit for any such service prior to January first, one thousand nine hundred and thirty-eight, or prior to June first, one thousand nine hundred forty-three, as the case may be, upon complying with the provisions of this act.

Section 9. Payments by Contributors.—All original and new members shall be required to contribute into the fund at the same rate of contribution, according to age, as is required of State employes contributing at the one one-hundredth rate under the State Employes' Retirement Act. All original employes who were not members of the State Employes' Retirement System shall have the option of becoming original members of the retirement system established by this act, but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employes' Retirement System when the same was established. In like manner, any new member may elect to make back payments to the date when he first entered the service of the Pennsylvania State Police, [or] the State Highway Patrol or the Pennsylvania Motor Police. Such back payments of original and new members may be spread over a period of years, by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof, which deduction increase shall be credited to such back payments owing, and shall be continued until the full amount of such back payments have been completed. Any such deduction increase may be anticipated in part or in full by the contributor at any time, and shall be anticipated in full at the time of retirement before a retirement allowance is granted, and, if not so anticipated, then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund, and the state annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated.

Payments.

Every contributor who was a member of the State Employes' Retirement System shall receive full credit under this act for all contributions made into the fund, and for all service credits to which he was entitled under the State Employes' Retirement System.

Section 10. Contributions by the Commonwealth.—The Commonwealth shall contribute from the General Fund and from the Motor License Fund, from time to time, sufficient moneys to build up the reserves required

Contributions by  
the Common-  
wealth.

to pay to each contributor, upon superannuation retirement a State annuity equal to—(a) one one-hundredth of his final salary for each year of total service, and, in addition thereto, if an original member, of one one-hundredth of his final salary for each year of prior service, and (b) an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty, under the State Employes' Retirement System.

The amounts to be paid by the Commonwealth from the General Fund and the Motor License Fund into the State Employes' Retirement Fund shall be apportioned in the same ratio as the salaries of the members of the Pennsylvania [Motor Patrol] *State Police*.

Act effective  
June 1, 1943.

Section 3. This act shall become effective the first day of June, one thousand nine hundred forty-three.

APPROVED—The 28th day of April, A. D. 1943.

EDWARD MARTIN

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No. 57

AN ACT

To further amend certain sections of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," as re-enacted\* and amended, by making the moneys in the Motor License Fund available to the Pennsylvania State Police, to defray the expenses required by such agency in the proper conduct of part of its work.

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

Act of May 1,  
1929, P. L. 1046,  
sections 4 and 7,  
as last re-  
enacted and  
amended by act  
of June 29,  
1937, P. L. 2412,  
further amended.

Section 1. Sections four and seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand forty-six), entitled "An act appropriating the moneys in the Motor License Fund," as last re-enacted and amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred twelve), are hereby further amended to read as follows:

Section 4. As much of the money, from time to time in the Motor License Fund, is hereby appropriated to the Pennsylvania [Motor] *State Police* as shall be deemed by the Governor to be apportionable to the work of the Pennsylvania [Motor] *State Police* in enforcing the laws regulating the use of the highways of this Commonwealth, and in assisting the Department of Revenue

\* "reenacted" in original.