

## No. 64

## AN ACT

Fixing the compensation and mileage of county auditors in counties of the sixth, seventh and eighth classes.

Counties of the sixth, seventh and eighth classes.

Compensation and mileage of county auditors.

Act of May 23, 1949, P. L. 1803, repealed.

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

Section 1. The county auditors in counties of the sixth, seventh and eighth classes shall receive ten dollars (\$10.00) for each day necessarily employed in the discharge of their duties, together with six cents per mile circular from and to their homes once each and every day so employed.

Section 2. The act of May twenty-three, one thousand nine hundred forty-nine (Pamphlet Laws 1803), entitled "An act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class," is repealed.

APPROVED—The 28th day of June, A. D. 1955.

GEORGE M. LEADER

## No. 65

## AN ACT

Amending the act of May twenty-five, one thousand nine hundred thirty-three (Pamphlet Laws 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its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," further regulating eligibility for pensions, changing the amounts of contributions by members to the fund, and changing the amounts of payments to beneficiaries.

Cities of second class.

Clause (2), section 9, act of May 25, 1933, P. L. 1050, amended May 22, 1951, P. L. 323, further amended.

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

Section 1. Clause (2) of section nine, act of May twenty-five, one thousand nine hundred thirty-three (Pamphlet Laws 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payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," amended May twenty-two, one thousand nine hundred fifty-one (Pamphlet Laws 328), is amended to read:

Section 9. Any individual eligible to membership in such fund, as aforesaid, shall be required—

\* \* \* \* \*

(2) To contribute to said fund [in accordance with his classification in the amounts indicated in the following schedule, to-wit: Chief, Deputy Chiefs, Battalion Chiefs, and Chief of River Patrol of the Bureau of Fire, and the Superintendent, Deputy Superintendents, Chief Inspectors, and Chief Wiring Inspectors of the Bureau of Electricity, five per centum of the rated monthly salary or wages of the Battalion Chief of the Bureau of Fire; all other classifications,] five per centum of his rated monthly salary or wages, [All of said contributions from each individual] *but not in excess of twenty-five dollars a month which shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month, and paid into the fund. All beneficiaries of the fund shall, in addition thereto, pay the sum of one dollar a month into the said fund, and in the case of active members, the city controller shall deduct said contribution from the payroll of the last half of each month and the secretary of the fund shall deduct the sum of one dollar from the pension paid each pensioner. The amount so collected shall be paid into the firemen's relief and pension fund, and out of the funds of the firemen's relief and pension fund there shall be paid to the beneficiary of any deceased member of the fund, the sum of one thousand two hundred dollars.*

When any member of the fund shall resign or be dismissed from service there shall be paid to him from the fund a sum of money equal to all dues paid by him into the fund, without interest. When any member of the fund shall die in active service there shall be paid from the fund a sum of money equal to all dues paid by him into the fund, without interest, to his widow, if there be such widow, or in the absence of such widow to such person or persons as he shall have designated on a form prepared and approved by the board for such purpose, or in the absence of such widow and such designation to his estate. When any beneficiary shall die before he has received pension payments equal in amount to his total contributions to the fund, there shall be paid a sum of money equal to the difference between the amount of his said contributions and the amount he shall have received as pension payments, without interest, to his widow, if there be such widow, or in the absence of such widow to

such person or persons as he shall have designated on a form prepared and approved by the board for such purpose, or in the absence of such widow and such designation to his estate. Regular employes shall serve at least fifteen days in each month and appear on both semi-monthly payrolls of said bureau of fire in said month in order to be credited for one month's service for pension under this act. In the event, however, that such regular employe served one or more days in any month while serving as a substitute employe prior to becoming a regular employe, such regular employe shall be given a full month's credit for the day or days in every month so served as a substitute: Provided, That the dues for each month so credited are paid in full.

Act is amended by adding section 11.1.

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

*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, upon compliance with such rules and regulations pertaining thereto as may be adopted by the board, shall be entitled to receive a pension from this fund if he has rendered at least fifteen years' service to said city at least one year of which was immediately prior to his application but which need not have been otherwise continuous service. Such service shall total fifteen years and shall include service in the armed forces of the United States in times of war.*

Section 12, amended May 22, 1951, P. L. 328, further amended.

Section 3. Section twelve of the act, amended May twenty-two, one thousand nine hundred fifty-one (Pamphlet Laws 328) is amended to read:

Section 12. Beneficiaries under said fund shall be [rated and classified, and shall be] entitled to receive from the fund, per month, [the amounts indicated in the following table to wit

Classification	Composed of	Monthly Payments
I. Chief . . . . .	Bureau of Fire	\$175.00
Superintendent . . . . .	Bureau of Electricity	
II. Deputy Chiefs . . . . .	Bureau of Fire	\$165.00
Deputy Superintendents . . . . .	Bureau of Electricity	
III. Battalion Chiefs . . . . .	Bureau of Fire	\$155.00
Chief of River Patrol . . . . .	Bureau of Fire	
Chief Inspectors . . . . .	Division of Fire Prevention	
Chief Wiring Inspectors . . . . .	Bureau of Electricity	
IV. Training School Instructors . . . . .	Bureau of Fire	\$150.00

V.	Captains .....	Bureau of Fire	\$150.00
	Assistant Engineers .....	Bureau of Electricity	
	Supervisors of Construction ..	Bureau of Electricity	
	Fire Alarm Operators .....	Bureau of Electricity	
VI.	Lieutenants .....	Bureau of Fire	\$145.00
	Engineers .....	Bureau of Fire	\$135.00
	Pumpmen .....	Bureau of Fire	\$135.00
VII.	Drivers .....	Bureau of Fire	\$135.00
	Electric Wiring Inspectors ..	Bureau of Building Inspection	
VIII.	Hose and Laddermen .....	Bureau of Fire	\$135.00
	Aides .....	Bureau of Fire	
	Assistant Engineers .....	Bureau of Fire	
	Fire Alarm Box Inspectors ..	Bureau of Electricity	\$135.00
	Police Box Inspectors .....	Bureau of Electricity	
	Instrument Repairmen .....	Bureau of Electricity	
	Battery Men .....	Bureau of Electricity	
	Line Foremen .....	Bureau of Electricity	
	Linemen .....	Bureau of Electricity	
	Inspector .....	Bureau of Fire	
	Inspector .....	Division of Fire Prevention	

The classification of any applicant for retirement or disability pension shall be determined as follows:

(1) If the applicant has held the position he holds, at the time of making the application, continuously for one year or more prior thereto, pension shall be granted as of the classification into which such position falls.

(2) If the applicant has not held such position continuously for one year or more, pension shall be granted as of the classification into which the last preceding position which he held continuously for one year or more falls, whether such classification is higher or lower than the classification of the position held by applicant at the time of making the application.] *fifty per centum of the highest average annual salary earned by the contributor as an employe of the bureau of fire of the city during any five years of service preceding retirement, but in no event shall the maximum monthly pension payment exceed two hundred and fifty dollars per month.*

Section 4. The provisions of this act shall not be applicable to any member who was retired prior to its effective date.

Inapplicability of act to members retired prior to effective date.

Section 5. This act shall take effect January 1, 1956.

Act effective January 1, 1956.

APPROVED—The 28th day of June, A. D. 1955.

GEORGE M. LEADER