

*social security allowances are payable. The remainder of the needed annual contribution, as determined by the actuary, shall become the obligation of the city, and shall be paid by it to the board by annual appropriations. The provisions of this section shall, in all applicable cases, supersede the provisions relating to contributions in section 5 and section 10 of this act.*

APPROVED—The 1st day of June, A. D. 1956.

GEORGE M. LEADER

No. 662

AN ACT

Reenacting and amending the act of January five, one thousand nine hundred fifty-two (Pamphlet Laws 1833), entitled "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency; authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions; authorizing interstate cooperation in certain cases; creating a Contribution Fund; and making appropriations," extending its provisions to include additional persons, increasing contribution rates, and providing for referenda, and permitting modification of certain local retirement plans, and making an additional appropriation.

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

Section 1. The title and act of January five, one thousand nine hundred fifty-two (Pamphlet Laws 1833), entitled "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency; authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions; authorizing inter-

Title and act of  
January 5, 1952,  
P. L. 1833,  
reenacted and  
amended.

state cooperation in certain cases; creating a Contribution Fund; and making appropriations," are reenacted and amended to read:

### AN ACT

Title.

To provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency; authorizing the State Agency to enter into agreements with the Federal [Security Administrator] *Secretary of Health, Education and Welfare* and with political subdivisions or *instrumentalities thereof* under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal [Security Administrator] *Secretary of Health, Education and Welfare* and for the collection and payment of employer and employe contributions; authorizing interstate cooperation in certain cases, creating a Contribution Fund; and making appropriations.

Old-age and survivors insurance provisions of Federal Social Security Act extended to cover certain officers and employes of Commonwealth and its political subdivisions.

Section 1. Declaration of Policy.—In order to extend to employes, except those hereinafter excluded from the provisions of the act, of the Commonwealth and its political subdivisions and of the instrumentalities of either and to the dependents and survivors of such employes, the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security Act, it is hereby declared to be the policy of the General Assembly, subject to the limitations of this act, that such steps be taken as to provide such protection to employes of the Commonwealth and its political subdivisions and to the instrumentalities of either on as broad a basis as is permitted under the Federal Social Security Act. *It is also the policy of the General Assembly that the protection afforded employes, in positions covered by a retirement system established by the Commonwealth or a political subdivision on the date an agreement under this act is made applicable to service performed in such positions or receiving periodic benefits under such retirement system at such time, will not be impaired as a result of making the agreement so applicable or as a result of legislative enactment in anticipation thereof.*

Section 2. Definitions.—The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly indicates otherwise:

(a) "Social Security Act" means the Act of Congress, approved the fourteenth day of August, one thou-

sand nine hundred thirty-five, Chapter 531, 49 Statutes 620, officially cited as the "Social Security Act" (including regulations and requirements issued pursuant thereto), as such act has been and may from time to time be amended.

(b) "Federal Insurance Contributions Act" means subchapter A of Chapter 9 of the Federal Internal Revenue Code [ , as such code has been and may from time to time be amended.] of 1939, and subchapters A and B of Chapter 21 of the Federal Internal Revenue Code of 1954; and "employe tax" means the tax imposed by section 1400 of the Code of 1939 and section 3101 of the Code of 1954, as such codes have been and may, from time to time, be amended.

(c) "Political subdivision" includes a city, borough, incorporated town, township, county, county institution district, school district, vocational school district, municipal authority, and any instrumentality or agency of the Commonwealth, or one or more of its political subdivisions or of the Commonwealth and one or more of its political subdivisions, but only if such instrumentality or agency is an entity which is legally separate and distinct from the Commonwealth or political subdivision, and only if its employes are not by virtue of their relation to such legal entity employes of the Commonwealth or political subdivision; except that the limitations upon instrumentalities or agencies of political subdivisions shall not apply in the case of joint-county departments of health. There shall be included in a political subdivision, as defined herein, any department, agency, board or other means heretofore or hereafter created for the charge or the administration by the political subdivision, of property and estates dedicated to charitable uses or trusts, now or which shall hereafter become vested in or confided to the political subdivision.

(d) "State Agency" means the agency created under section three hereof.

(e) "Federal Agency" includes any individual, department or agency as is charged, on behalf of the Federal Government, by or under the applicable Federal law, with the particular Federal function referred to in this act in connection with such term. *With respect to action taken prior to the eleventh day of April 1953; "Federal Agency" refers to the Federal Security Administrator.*

(f) "Employe" includes an officer or employe of [a State] *the Commonwealth and each political subdivision or instrumentality thereof.*

[(g) "Employment" means any service performed by an employe in the employ of the Commonwealth, any political subdivision, or instrumentality of either, for such employe, except (1) service which, in the absence of an agreement entered into under this act, would constitute "employment" as defined in the Social Security Act; or (2) service performed by employes in positions covered by a retirement system, pension or annuity retirement plan, or similar fund, system or plan, established by the Commonwealth or by a political subdivision, on the date an agreement between the State Agency and the Federal Security Administrator applicable to such service, is entered into, or other service which, under the applicable Federal law, may not be included in an agreement between the Commonwealth and the Federal Security Administrator entered into under this act.]

*(g) "Employment" means service which, under the Social Security Act, may be included in an agreement only upon certification by the Governor, when the Governor in accordance with section 218 (d) (3) of the Social Security Act issues with respect thereto a certificate to the Federal Secretary of Health, Education and Welfare, and any service performed by an employe of the Commonwealth or any political subdivision or instrumentality thereof, except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the Social Security Act, or (2) service which under the applicable Federal Law may not be included in an agreement between the Commonwealth and the Federal Agency entered into under this act.*

*Civilian employes of National Guard Units of the Commonwealth, who are employed pursuant to section 90 of the National Defense Act of June 3, 1916, (32 USC, section 42), and paid from funds allotted to such units by the Department of Defense, and individuals employed pursuant to an agreement entered into pursuant to section 205 of the Agricultural Marketing Act of 1946 (7 USC 1624), or section 14 of the Perishable Agricultural Commodities Act of 1930 (7 USC 499n), between the Commonwealth and the United States Department of Agriculture, to perform services as inspectors of agricultural products shall be deemed to be employes of the Commonwealth.*

(h) "Wages" means all remuneration for employment as defined herein, including the cash value of all remuneration paid in any medium other than cash, except that such term shall not include that part of such remuneration which, even if it were for "employ-

ment" within the meaning of the Federal Insurance Contributions Act, would not constitute "wages" within the meaning of that act.

(i) "Applicable Federal Law" refers to the provisions of the Federal [law, Public Law seven hundred thirty-four, eighty-first Congress] *Social Security Act* (including Federal regulations and requirements issued pursuant thereto), *as such provisions have been and may from time to time be amended*, which provide for extending the benefits of Title II of the Social Security Act to employes of states, political subdivisions and their instrumentalities.

(j) "*State Treasurer*" means the treasurer of the Commonwealth of Pennsylvania.

(k) "*Head of the Department*," as applied to State employes, means the head of the department or branch of service not a department of the Commonwealth of Pennsylvania, of which the State employe is a member.

(l) "*Treasurer or Paying Officer*" means the treasurer or paying officer of the department or branch of service not a department of the Commonwealth of Pennsylvania, of which the State employe is a member.

Section 3. State Agency.—A State Agency is hereby created to carry out the provisions of this act, which shall consist of the Secretary of Labor and Industry. He shall, with the approval of the Governor, appoint such additional employes as may be deemed necessary to carry on the work required by this act, and fix the salary or compensation of such additional employes.

Section 4. (a) Federal-State Agreement.—The State Agency, with the approval of the Governor, is hereby authorized to enter on behalf of the Commonwealth into an agreement with the Federal [Security Administrator] *Secretary of Health, Education and Welfare*, consistent with the terms and provisions of this act, for the purpose of extending the benefits of the Federal old-age and survivors insurance system to employes of the Commonwealth or any political subdivision *or instrumentality thereof*, \* with respect to services specified in such agreement which constitute "employment" as defined in section two of this act. Such agreement may contain such provisions relating to coverage, benefits, contributions, effective date, modification and termination of the agreement, administration, and other appropriate provisions, as the State Agency and Federal [Security Administrator] *Secretary of Health, Education and Welfare* shall agree upon, but, except as may be otherwise re-

\* "thereof" in original.

quired by or under the Social Security Act as to the service to be covered, such agreement shall provide in effect that—

(1) Benefits will be provided for employes whose services are covered by the agreement and their dependents and survivors on the same basis as though such services constituted employment within the meaning of Title II of the Social Security Act;

(2) The Commonwealth will pay to the Federal Agency, at such time or times as prescribed by the applicable Federal law and by regulations promulgated thereunder, contributions with respect to wages (as defined in section two of this act), equal to a sum not in excess of three percent (3%) of such wages received during the calendar years one thousand nine hundred fifty-one-one thousand nine hundred fifty-three inclusive; four percent (4%) of such wages received during the calendar years one thousand nine hundred fifty-four-one thousand nine hundred fifty-nine inclusive; five percent (5%) of such wages received during the calendar years one thousand nine hundred sixty-one thousand nine hundred sixty-four inclusive; six percent (6%) of such wages received during the calendar years one thousand nine hundred sixty-five-one thousand nine hundred sixty-nine inclusive; [and six and one-half percent (6½%) of such wages received during the calendar year one thousand nine hundred seventy and thereafter] *seven percent (7%) of wages received during the calendar years one thousand nine hundred, seventy-one thousand nine hundred seventy-four inclusive; and eight percent (8%) of wages received during the calendar year one thousand nine hundred seventy-five and thereafter.* The actual amount of the contributions to be made under the provisions of this [paragraph] *clause* shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith, which amounts shall, from time to time, be determined by the State Agency, subject to the limitations herein prescribed;

(3) Such agreement shall be effective with respect to services, in employment covered by the agreement, performed on and after the first day of January, one thousand nine hundred fifty-one, or such later date as may be specified in the agreement, *and modifications may be made effective subject to the limitations imposed by Federal law;*

(4) All services which constitute employment, as defined in section two, and are performed in the employ of the Commonwealth by employes of the Commonwealth, shall be covered by the agreement [and], *except that it may exclude services which are optionally excludable under the Federal Social Security Act;*

(5) All services which constitute employment, as defined in section two, *and* are performed in the employ of a political subdivision [of the State] *or instrumentality thereof*, and are covered by a plan which is in conformity with the terms of the agreement and has been approved by the State Agency under section [five] six, shall be covered by the agreement;

(6) *As modified, the agreement may include all services described in clause (4) or clause (5) of this subsection and performed by individuals to whom section 218 (c) (3) (C) of the Social Security Act is applicable, and shall provide that the service of the individual shall continue to be covered by the agreement in case he thereafter becomes eligible to be a member of a retirement system; and*

(7) *As modified, the agreement shall include all services described in clause (4) or clause (5) of this subsection and performed by individuals in positions covered by a retirement system with respect to which the Governor has issued a certificate to the Federal Secretary of Health, Education and Welfare, pursuant to section 6.1 of this act.*

(b) Interstate Instrumentalities.—Any instrumentality jointly created by this Commonwealth and any other state or states is hereby authorized, upon the granting or existence of like authority by such other state or states, (1) to enter into an agreement with the Federal [Security Administrator] *Secretary of Health, Education and Welfare* whereby the benefits of the Federal old-age and survivors insurance system shall be extended to employes of such instrumentality, (2) to require its employes to pay, and for that purpose to deduct from their wages, contributions equal to the amounts which they would be required to pay under section five (a) if they were covered by an agreement made pursuant to subsection (a) of this section, and (3) to make payments to the Federal agency in accordance with such agreement, including payments from its own funds and otherwise, to comply with such agreements.

Section 5. Contributions by State Employes.—(a) Every employe of the Commonwealth, whose services are covered by an agreement entered into under section four, shall be required to pay for the period of such coverage, into the Contribution Fund established by section seven, contributions, with respect to wages (as defined in section two of this act), not in excess of [one and one-half percent ( $1\frac{1}{2}\%$ ) of such wages received during the calendar years one thousand nine hundred fifty-one-one thousand nine hundred fifty-three inclusive; two percent (2%) of such wages received during the calendar years

one thousand nine hundred fifty-four-one thousand nine hundred fifty-nine inclusive; two and one-half percent ( $2\frac{1}{2}\%$ ) of such wages received during the calendar years one thousand nine hundred sixty-one-one thousand nine hundred sixty-four inclusive; three percent (3%) of such wages received during the calendar years one thousand nine hundred sixty-five-one thousand nine hundred sixty-nine inclusive; and three and one-fourth percent ( $3\frac{1}{4}\%$ ) of such wages received during the calendar year one thousand nine hundred seventy and thereafter] *the amounts prescribed under the provisions of the Federal Insurance Contribution Act*. The actual amount of the contributions to be made under the provisions of this paragraph shall be the amount necessary to carry out the provisions of this act and the agreement entered into in accordance therewith, which amounts shall, from time to time, be determined by the State Agency, subject to the limitations herein prescribed; each liability shall arise in consideration of the employes retention in the service of the Commonwealth, or his entry upon such service after the enactment of this act.

[(b) The contribution imposed by this section shall be collected by each salary paying agency by deducting the amount of the contribution from wages as and when paid, but failure to make such deduction shall not relieve the employe from liability for such contribution.]

*(b) The head of each department shall cause to be deducted on each and every pay-roll of an employe, for each and every pay-roll period subsequent to the effective date of an agreement entered into under this act, such percentum of the total amount of wages earnable by the employe in such pay-roll period required to satisfy the contribution imposed by clause (a) of this section, and shall certify to the Treasurer of the Commonwealth on account of each and every pay-roll of an employe a statement as voucher for the amounts to be deducted, but failure to make such deductions shall not relieve the employe from the liability for such contribution.*

*(b.1) The State Treasurer, on receipt from the heads of the departments of the vouchers for deductions from the wages of employes provided for in clause (b) of this section, shall make such deductions and shall pay each of the amounts so deducted into the contribution fund established by section 7 of this act.*

*(b.2) The Treasurer or paying officer, on receipt from the heads of the departments of the vouchers for deductions from the wages of employes provided for in clause*



*(b) of this section, shall make such deductions and shall pay each of the amounts so deducted into the contribution fund established by section 7 of this act.*

(c) If more or less than the correct amount of the contribution imposed by this section is paid or deducted with respect to any remuneration, proper adjustments or refund, if adjustment is impracticable, shall be made without interest in such manner and at such times as the State Agency shall prescribe.

Section 6. Plans for Coverage of Employes of Political Subdivisions.—(a) Each political subdivision *or instrumentality thereof* of the Commonwealth is hereby authorized to submit for approval by the State Agency a plan for extending the benefits of Title II of the Social Security Act, in conformity with applicable provisions of such act, to employes of such political subdivision. Each such plan and any amendment thereof shall be approved by the State Agency if it finds that such plan, or such plan as amended, is in conformity with such requirements as are provided in regulations of the State Agency, except that no such plan shall be approved unless—

(1) it is in conformity with the requirements of the Social Security Act and with the agreement entered into under section four;

(2) it provides that all services which constitute employment, as defined in section two, and are performed in the employ of the political subdivision *or instrumentality thereof* by employes thereof, shall be covered by the plan, *except that it may exclude services rendered by individuals to whom section 218 (c) (3) and (5) of the Social Security Act is applicable;*

(3) it specifies the source or sources from which the funds necessary to make the payments required by [paragraph] *clause* (1) of subsection (c) and by subsection (d) of this section are expected to be derived, and contains reasonable assurance that such sources will be adequate for such purpose;

(4) it provides for such methods of administration of the plan by the political subdivision *or instrumentality thereof* as are found by the State Agency to be necessary for the proper and efficient administration of the plan;

(5) it provides that the political subdivision *or instrumentality thereof* will make such reports, in such form and containing such information as the State Agency may from time to time require, and comply with such provisions as the State Agency or the Fed-

eral Agency may from time to time find necessary to assure the correctness and verification of such reports; and,

(6) it authorizes the State Agency to terminate the plan in its entirety, in the discretion of the State Agency, if it finds that there has been a failure to comply substantially with any provision contained in such plan, such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the State Agency and may be consistent with the provisions of the Social Security Act.

(b) The State Agency shall not finally refuse to approve a plan submitted by a political subdivision *or instrumentality thereof* under subsection (a), and shall not terminate an approved plan, without reasonable notice and opportunity for hearing to the political subdivision *or instrumentality thereof* affected thereby.

(c) (1) Each political subdivision *or instrumentality thereof* as to which a plan has been approved under this section shall pay into the Contribution Fund, with respect to wages (as defined in section two of this act), at such time or times as the State Agency may by regulation prescribe, contributions in the amounts and at the rates specified in the applicable agreement entered into by the State Agency under section four.

(2) Each political subdivision *or instrumentality thereof* required to make payments under [paragraph] clause (1) of this subsection is authorized, in consideration of the employe's retention in or entry upon employment after enactment of this act, to impose upon each of its employes, as to services which are covered by an approved plan, a contribution with respect to his wages (as defined in section two of this act), not exceeding the amount of contributions by Commonwealth employes, as provided in subsection (a) of section five of this act, and to deduct the amount of such contribution from his wages as and when paid. Contributions so collected shall be paid into the Contribution Fund in partial discharge of the liability of such political subdivision *or instrumentality thereof* under [paragraph] clause (1) of this subsection. Failure to deduct such contribution shall not relieve the employe or employer of liability therefor.

(d) Delinquent payments due under [paragraph] clause (1) of subsection (c) may, with interest at the rate of six (6) per centum per annum, be recovered, by action in a court of competent jurisdiction, against the political subdivision *or instrumentality thereof* liable therefor, or may, at the request of the State Agency, be

deducted from any other moneys payable to such political subdivision or instrumentality thereof by any department or agency of the Commonwealth.

*Section 6.1. Referenda and Certification.—(a) With respect to employes of the Commonwealth and employes of instrumentalities thereof who are members of the State employes retirement system, the Governor is empowered to authorize a referendum with respect to employes of any political subdivision other than an instrumentality of the Commonwealth whose employes are members of the State employes retirement system or a school district or vocational school district or joint school system, he shall authorize a referendum upon request of the governing body of the subdivision. With respect to the employes of school district or vocational school districts or joint school systems of the Commonwealth, the Governor shall authorize a referendum for the eligible membership of the public school employes retirement system unless within sixty days of the issuance of official information concerning this act, including the liabilities to which any will be subject by the State agency, the governing bodies of at least forty per centum (40%) of the total number of school districts and vocational school districts shall notify the State agency, on a form to be supplied by it, that they do not desire a referendum to be held. Any referendum shall be conducted and the Governor shall designate an agency or individual to supervise its conduct in accordance with the requirements of section 218 (d) (3) of the Social Security Act, on the question of whether service in positions covered by a retirement system established by the Commonwealth or by a political subdivision or instrumentality \* thereof should be excluded from, or included under, an agreement under this act. The notice of referendum required to be given to employes shall contain or shall be accompanied by a statement in form and detail as the agency or individual designated to supervise the referendum shall deem necessary to inform the employes of the rights which will accrue to them and their dependents and survivors, and the liabilities to which they will be subject if their services are included under an agreement under this act and of the changes, if any, proposed to be made in the provisions of their pension or retirement system at the time the agreement is entered into. The information shall be sufficient to illustrate to the eligible employe the total combined costs and benefits which will accrue from social security and the pension or retirement system or the proposed modifications thereof.*

\* "thereof" in original.

(b) Upon receiving evidence satisfactory to him that with respect to any referendum the conditions set forth in section 218 (d) (3) of the Social Security Act have been met, the Governor shall so certify to the Federal Secretary of Health, Education and Welfare.

(c) Immediately after a favorable referendum of the eligible members of the public school employes retirement association, the services of all employes of all school districts, vocational school districts and joint schools shall be included under the agreement with the Secretary of Health, Education and Welfare for the extension of old age and survivor's insurance protection as provided in the Federal Social Security Act. There shall likewise be included under such agreement the services of all other employes in departments of the Commonwealth, who perform services in positions which are eligible for coverage under the public school employes retirement laws as well as any eligible members of the public school retirement association not otherwise included by this subsection.

*Section 6.2. Modification of Retirement Systems in Political Subdivisions.*—Where services covered by a retirement system established by a political subdivision are included under an agreement under this act and where any laws providing for administration of retirement systems in that class of subdivision do not specifically provide for such cases, the governing body of such subdivision may reduce the basis upon which retirement allowances paid by such retirement system are computed to a proportionate basis which is adjusted for social security benefits. Any such reduction shall apply only to benefits payable after the age at which Federal Social Security benefits are payable and to that portion of such benefits based on wages (as defined in section 2 of this act): Provided, That the total sum to be received monthly from social security and the retirement system following retirement by an employe who is a member of the system at the time of such change shall not be less than the allowance that would be paid by the retirement system in the absence of such agreement the limitation provided for in section 6.3 notwithstanding. Where the employe contributions are actuarially determined as amounts sufficient to provide a specified portion of the benefits such employe contributions may be correspondingly reduced. The provisions of this section shall not be deemed to restrict any city of the first class in modifying any pension and retirement system covering any officers or employes of such city.

*Section 6.3. Limitation on Retirement Benefits; Political Subdivisions.*—Where the laws providing for ad-

*ministration of retirement system established by the Commonwealth or a political subdivision in a given class of subdivision do not require the modification of a system upon the extension of social security coverage and whether or not a retirement plan is modified under the provisions of this act, the total sum to be received monthly from the retirement system and from social security by each member following retirement shall not be more than eighty percent (80%) of average or final salary as defined by the law governing such system. This limitation shall not apply where it would reduce that portion of the retirement allowance of a member based on credits earned prior to the effective date of an agreement under this act.*

Section 7. Contribution Fund.—(a) There is hereby created as a special fund in the State Treasury, the Contribution Fund. Such fund shall consist of and there shall be deposited in such fund: (1) all contributions, interest and penalties collected under sections five and six; (2) all moneys appropriated thereto under this act; (3) any property or securities and earnings thereof acquired through the use of moneys belonging to the fund; (4) interest earned upon any moneys in the fund; and (5) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other moneys received for the fund from any other source. All moneys in the fund shall be mingled and undivided. Subject to the provisions of this act, the State Agency is vested with full power, authority and jurisdiction over the fund, including all moneys and property or securities belonging thereto, and may perform any and all acts, whether or not specifically designated, which are necessary to the administration thereof and are consistent with the provisions of this act.

(b) The Contribution Fund shall be established and held separate and apart from any other funds or moneys of the Commonwealth, and shall be used and administered exclusively for the purpose of this act. Withdrawals from such fund shall be made for and solely for payment of amounts required to be paid to the Federal Agency pursuant to an agreement entered into under section four, payment of refunds provided for in section five (c) of this act, and refunds of overpayments, not otherwise adjustable, made by a political subdivision.

(c) From the Contribution Fund the State Treasurer, upon warrant of the State Agency, shall pay to the Federal Agency such amounts and at such time or times as may be directed by the State Agency, in accordance with any agreement entered into under section four and the Social Security Act.

(d) (1) There are hereby authorized to be appropriated biennially to the Contribution Fund, in addition to the contributions collected and paid into the Contribution Fund under sections five and six, to be available for the purposes of section seven (b) and (c) until expended, such additional sums as are found to be necessary in order to make the payments to the Federal Agency which the Commonwealth is obligated to make pursuant to an agreement entered into under section four.

(2) The State Agency shall submit to each regular session of the General Assembly, at least ninety (90) days in advance of the beginning of such session, an estimate of the amounts authorized to be appropriated to the Contribution Fund by [paragraph] *clause* (1) of this subsection for the next fiscal biennium.

Section 8. Rules and Regulations.—The State Agency is hereby authorized and empowered to make such rules and regulations, not inconsistent with the provisions of this act, as it finds necessary or appropriate to the efficient administration of the functions with which it is charged under this act.

Section 9. Studies and Reports.—The State Agency shall make studies concerning the problem of old-age and survivors insurance protection for employes of the Commonwealth and local governments and their instrumentalities, and concerning the operation of agreements made and plans approved under this act, and shall submit a report to the General Assembly, at the beginning of each regular session, covering the administration and operation of this act during the preceding biennium, including such recommendations for amendments to this act as the State Agency considers proper.

[Section 10. Administrative Appropriation.—For the purpose of administering the provisions of this act for the biennium beginning the first day of June, one thousand nine hundred fifty-one, and ending the thirty-first day of May, one thousand nine hundred fifty-three, there is hereby appropriated to the State Agency the sum of forty thousand dollars (\$40,000).]

Section 11. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the State Agency to be paid into the Contribution Fund.

Appropriation  
for Contribution  
Fund.

*Section 11.1. The sum of one hundred twenty-five thousand dollars (\$125,000), or as much thereof as may be necessary, is hereby appropriated to the State Agency to be used for the payment of all costs and expenses incurred in conducting the referenda authorized by this act.*

Appropriation  
for referenda.

Section 12. Repeal.—All acts and parts of acts are hereby repealed insofar as they are inconsistent with the provisions of this act.

Section 13. Effective Date.—The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 1st day of June, A. D. 1956.

GEORGE M. LEADER

No. 663

AN ACT

Authorizing the Department of Highways, with the approval of the Governor, to erect and construct a toll bridge over the Monongahela River, connecting the State highway system in Washington County with the system of State highways in Fayette County, and to provide the necessary approaches and connections with such State highways; empowering counties to pay certain damages; providing for the collection of tolls; and making an appropriation.

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

Bridge connecting State highways.

Section 1. The Department of Highways, with the approval of the Governor, is hereby authorized to erect and construct a bridge over the Monongahela River in the vicinity of Brownsville, connecting the State highway system in Washington County with the system of State highways in Fayette County, and to acquire the necessary land for approaches thereto.

Department of Highways, with approval of the Governor, authorized to build a bridge over the Monongahela River, connecting State highways in Fayette and Washington Counties.

Section 2. In the construction of the bridge and the approaches thereto, and connections with existing State highways, the Department of Highways shall have all of the powers and authority conferred with respect to the relocation, widening or construction of State highways, including the exercise of the power of eminent domain. \*Any damages sustained by reason of taking property in the relocation, widening or construction of any such bridge, the approaches thereto and connections with State highways, shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating, widening or constructing State highways and such damages, when ascertained, shall be paid by the Commonwealth or county or counties as may be agreed upon in accordance with the laws relating to State highways.

Powers of Department of Highways in construction of bridge.

The Department of Highways shall have authority to make and carry out, and to do every other act necessary to carry out, the project herein authorized.

\* "and" in original.