

driving, while acting as a member of such camp or body of men hunting together, so long as the number of big game animals killed by such camp or body of men hunting together shall not exceed the legal limit. Driving.

It is unlawful for any person at any time to shoot at or wound or kill, or attempt to shoot at or wound or kill, or have in possession, a female elk, or a deer without visible antlers or horns less than such weight or age as shall be fixed by resolution of the commission, except as otherwise provided by subsection (e) of section 501 of this act, or any part thereof, or a male elk or a male deer or a bear of either sex, found in a wild state, or any part thereof, that may not be lawfully taken except as otherwise provided by the laws of this Commonwealth. Unlawful possession of big game.

APPROVED—The 9th day of May, A. D. 1961.

DAVID L. LAWRENCE

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No. 87

AN ACT

Amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," changing the basis for pensions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Third class city retirement system.

Section 1. Subsection (a) of section 4, act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," amended June 14, 1957 (P. L. 323), is amended to read: Subsection (a), section 4, act of May 23, 1945, P. L. 903, amended June 14, 1957, P. L. 323, further amended.

Section 4. (a) That every person now or hereafter elected or appointed to an office of, or employed by, any city which has created such retirement system and such board, as hereinafter provided, of the age of sixty (60) years and upwards who shall have so served as an officer or employe for a period of twenty (20) years, or more, shall, upon application to the board, be retired from service, and shall during the remainder of his life receive the compensation fixed by this act, subject to such qualifications as are hereinafter contained. Retirement.

If any person shall have served twenty (20) years and voluntarily retires he shall, by continuing his contributions until the age of fifty-five (55), be entitled to the above compensation.

During the lifetime of any such person he shall be entitled to receive as compensation annually from the fund set aside for the purpose, fifty (50) per centum of the amount which would constitute the [average] *highest average annual salary* or wages which he earned during [the last] *any five (5) years* of his service for the city, *or which would be determined by the rate of the monthly pay of such person at the date of retirement, whichever is the higher.* Said compensation to be paid in semi-monthly payments.

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APPROVED—The 9th day of May, A. D. 1961.

DAVID L. LAWRENCE

No. 88

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," changing the basis for certain pensions.

The Third Class
City Code.

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

Subsection (a),
section 4303, act
of June 23, 1931,
P. L. 932,
reenacted and
amended June
28, 1951, P. L.
662 and amended
January 18,
1952, P. L. 2105,
further amended.

Section 1. Subsection (a) of section 4303, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662) and amended January 18, 1952 (P. L. 2105), is amended to read:

Section 4303. Allowances and Service Increments.—
(a) Payments for allowances shall not be a charge on any other fund in the treasury of the city or under its control save the police pension fund herein provided for. The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, *or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement, whichever is the higher,* and except as to service increments provided for in subsection (b) of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly *or average annual rate, whichever is the higher.*

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