

an employe of the Bureau of Police of the city during any three calendar years of service or the last thirty-six months immediately preceding retirement. If any employe has not been employed in the Bureau of Police at least five years, but is otherwise entitled to a pension, such employe's pension shall equal not less than fifty per centum of the amount which would constitute the average monthly salary or wages received by the beneficiary as an employe of the Bureau of Police. Pension payments shall always be payable on the third working day of each month and shall be for the preceding month.

APPROVED—The 12th day of December, A. D. 1968.

RAYMOND P. SHAFER.

No. 379

AN ACT

HB 2769

Amending the act of May 25, 1933 (P. L. 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its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," abolishing the time which certain persons must be members in order to qualify their surviving spouses for benefits and changing provisions relating to the basis of the pension allowance.

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

Section 1. Subsection (a) of section 9.3 and subsection (a) of section 12, act of May 25, 1933 (P. L. 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its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," subsection (a) of section 9.3 added August 27, 1963 (P. L. 1297), and clause (3) thereof and subsection (a) of section 12 amended November 9, 1965 (P. L. 679), are amended to read:

Section 9.3 (a). A surviving spouse of any active member of the fund who:

(1) at the time of his death was in active service with the city; and
 (2) had elected to be governed by the provisions of this amendment;
 and

(3) if he died prior to the effective date of this amending act had completed twenty years of service or [otherwise qualified for a pension] if he dies after the effective date of this amending act, regardless of the length of his service, shall be entitled to survivorship benefits equal to fifty per centum of the pension which would have been payable to such active member had he retired at the date of his death: Provided, That such employe shall have been married to his spouse for not less than two years prior to the date of his death and that the spouse was dependent upon such deceased employe at the time of his death.

* * *

Section 12. (a) Beneficiaries under the fund, who retire on or after January one, one thousand nine hundred fifty-six and before the effective date of this amending act, shall be entitled to receive from the fund, per month, an amount equalling fifty per centum of the average monthly salary earned by the contributor as an employe of the bureau of fire of the city during any five calendar years of service or the last sixty ¹ months immediately preceding retirement. Beneficiaries under the fund, who retire on or after the effective date of this amending act shall be entitled to receive from the fund, per month, an amount equalling fifty per centum of the average monthly salary earned by the contributor as an employe of the bureau of fire of the city during any three calendar years of service or the last thirty-six months immediately preceding retirement. If any employe has not been employed in the bureau of fire for at least five years but is otherwise entitled to a pension, such employe's pension shall equal not less than fifty per centum of the amount which would constitute the average monthly salary or wages received by the beneficiary as an employe of the bureau of fire.

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APPROVED—The 12th day of December, A. D. 1968.

RAYMOND P. SHAFER.

¹ "months" not in original.