

## No. 309

## AN ACT

Amending the act of May twenty-eight, one thousand nine hundred fifteen (Pamphlet Laws 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities, and authorizing credit for past service on making back payments.

Cities of the second class.

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

Section 10, act of May 28, 1915, P. L. 596, amended July 13, 1953, P. L. 445, further amended.

Section 1. Section ten, act of May twenty-eight, one thousand nine hundred fifteen (Pamphlet Laws 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," amended July thirteen, one thousand nine hundred fifty-three (Pamphlet Laws 445), is amended to read:

Persons entitled to pension benefits under act.

Section 10. The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions, which shall include all persons employed in any capacity by or holding position in an authority created by said cities, or created by said cities jointly with another political subdivision or other political subdivisions or created by another political subdivision or other political subdivisions and joined by said cities, except where such authority has in effect its own pension or retirement plan, maintained without reference to the provisions of this act, in which case such authority's pension or retirement plan shall be exclusive and such authority's employes shall not be entitled to any rights under this act; and the words "city" or "cities," as used in sections three, four, five, six, seven, eight, ten, eleven, twelve and fourteen of this act shall be construed to mean "authority" or "authorities" so created where appropriate: Provided, That this act shall not apply to employes of such departments, bureaus, or offices as are now protected by pension authorized by the laws of this State, and in force at the time of the passage of this act, and shall not apply to employes of a joint authority who are members of a pension fund established for the benefit of the employes of a political subdivision other than the city which is a member of the joint authority.

Employes of authorities created by said cities.

Exception.

Proviso.

For the purposes of this act the solicitor and all employes of the office of the solicitor for delinquent real estate tax and water rate liens provided for by the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (Pamphlet Laws six hundred twenty-nine), shall be regarded as persons employed by or holding positions in the cities included in the provisions of this act, to the extent that they may, if they so desire, avail themselves of the benefits of the act to which this is an amendment by paying to the board of pensions monthly the amount provided for by said act.

Section 2. Section fifteen of the act, added July thirteen, one thousand nine hundred fifty-three (Pamphlet Laws 445), is amended to read:

Section 15. Every authority, the employes of which are members of the pension fund as hereinabove provided for, shall pay [annually] to the board of pensions an amount sufficient to reimburse the board of pensions for the amount of benefits paid employes of such authority, as provided for by the act of which this amendment is a part, after receiving credit for all contributions made to the pension fund by employes of such authority [during such annual period]: Provided, however, That where an employe of any authority formerly worked for the city creating the authority, or for the city joining in the creation of the authority, or for the city joining an authority already created, the annual pension requirement or other benefits shall be prorated on the basis that the number of years such employe worked for the authority bears to total years of service in city and authority employment, and the authority shall reimburse the board of pensions for that proportionate part of the pension or other benefits paid which the authority service bears to the total, and the balance of annual pension requirements or other benefits shall be paid by such cities.

*Every authority employe shall have the option of joining or refusing to join the pension fund within twelve months of the effective date of this act, or within twelve months of the date when the privilege of joining occurs, whichever is later. Any authority employe shall receive full credit toward his pension under the act for each year of service as the employe of the authority, upon his producing proof satisfactory to the pension board of the number of years of his service as an employe of the authority, and upon his making back payments at the same rate as if he had been a city employe, in a lump sum or by installments, as may be determined by the board. If the employe is retired under this act before the back payments have been completed, the*

Solicitor for delinquent real estate tax and water rate liens and employes of said office may avail themselves of benefits of act.

Section 15, act of May 28, 1915, P. L. 596, added July 13, 1953, P. L. 445, further amended.

Authorities to reimburse board of pensions.

Amount of reimbursement.

Proviso.

Option of employe.

*annuity shall be reduced by an amount equivalent to the unpaid back payments or deduction increases not anticipated.*

Act effective immediately.

Section 3. This act shall take effect immediately.

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

GEORGE M. LEADER.

No. 310

AN ACT

Amending the act of April nine, one thousand nine hundred twenty-nine (Pamphlet Laws 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," abolishing the State Osteopathic Surgeons' Examining Board, and changing the character of the membership of the State Board of Osteopathic Examiners.

The Administrative Code of 1929.

As much as relates to the Department of Public Instruction of section 202, act of April 9, 1929, P. L. 177, as last amended by acts of May 22, 1951, P. L. 323, May 24, 1951, P. L. 353, July 19, 1951, P. L. 1144, and August 17, 1951, P. L. 1245, further amended.

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

Section 1. As much as relates to the Department of Public Instruction of section two hundred two, act of April nine, one thousand nine hundred twenty-nine (Pamphlet Laws 177), known as "The Administrative Code of 1929," amended May twenty-two, one thousand nine hundred fifty-one (Pamphlet Laws 323), May twenty-four, one thousand nine hundred fifty-one (Pamphlet Laws 353), July nineteen, one thousand nine hundred fifty-one (Pamphlet Laws 1144), and August seventeen, one thousand nine hundred fifty-one (Pamphlet Laws 1245), is amended to read:

Section 202. Departmental Administrative Boards, Commissions, and Offices.—The following boards, commissions, and offices are hereby placed and made departmental administrative boards, commissions, or offices,