

ture, in accordance with the provisions of Title I of the Bankhead-Jones Farm Tenant Act of the twenty-second day of July, one thousand nine hundred thirty-seven, its amendments and supplements, rules and regulations, promulgated from time to time pursuant to the provisions of said act, nor shall the provisions of this subsection apply to loans secured, in whole or in part, by bonds *or notes* secured by mortgages *or deeds of trust* made under the provisions of the Small Business Act of 1953, approved July 30, 1953, its amendments and supplements, and rules and regulations promulgated from time to time pursuant to the provisions of said act, nor to public utility, railroad, or industrial bonds, or other securities, commonly known as investment securities, although such bonds may be secured in whole or in part by a mortgage upon real property.

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Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 2nd day of October, A. D. 1959.

DAVID L. LAWRENCE

No. 425

AN ACT

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 employees 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its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," regulating credit for pension for previous employment by the city other than in the bureau of fire, and further regulating pensions of reinstated members.

Cities of second class.

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

Act of May 25, 1933, P. L. 1050, amended by adding a new section 9.1.

Section 1. 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providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," is amended by adding, after section 9, a new section to read:

*Section 9.1. Each person who shall become an employe of the bureau of fire after having been employed by the city other than in the bureau of fire, and who shall desire to have such previous service counted for eligibility to receive a pension under the provisions of section 11 of this act, shall be required to pay to the fund an amount equal to five per centum of his or her total salary or wages theretofore received by him or her but in no event contributing more than twenty-five dollars (\$25) per month for each previous month of service for which he receives credit as an employe of the city, with interest at the rate earned by the fund during the period of such prior employment. Full payment of such amount shall be a condition precedent to the member receiving credit for all or any part of said period of previous service for eligibility to receive a pension. Such amount shall be collected from the monthly salary or wages of the member over the period of two years in the manner provided in clause (2) of section 9 of this act, or in such manner and period as the board of managers may determine. If, however, any such member shall be injured in the line of duty before he shall have made such full contribution for past service, so long as the disability continues he or she shall be eligible to pension under this act, but any amount which he or she shall not yet have paid to the fund as a contribution for past services under this section at the date of his or her injury shall be paid if the board *in its discretion, shall so determine, in such monthly payments as the board may determine, which amounts shall be deducted from his or her pension as and when monthly payments thereof shall be made.*

Composite fire bureau and other municipal service and payments for pension eligibility.

Effect of injury in line of duty.

Section 2. Section 10 of the act is amended to read:

Section 10 of the act amended.

Section 10. A member of the fund who has severed his connection therewith and has subsequently again become eligible for membership therein shall, in addition to a readmission fee of five dollars, be required to return to the fund such dues as were repaid to him from the fund when his membership in the fund was severed.

Refund of returned dues in case of subsequent eligibility.

* "it" in original.

Such refund shall be collected from the monthly salary or wages of the reinstated member over the period of a year, and full payment thereof shall be a condition precedent to the member being eligible to the benefits of the fund.

If, however, any such reinstated member shall be [injured] *totally and permanently disabled* in line of duty before he shall have made such full restitution and before the expiration of the one year period, [and if the disability caused by such injury shall continue beyond the period during which compensation shall be paid to him under the provisions of the Workmen's Compensation Act of Pennsylvania,] he shall be eligible to pension under this act; but any amount to which he shall have been indebted to the fund at the date of his injury shall be repaid, if the board, in its discretion, shall so require, in such monthly payments as said board may determine, which amounts shall be deducted from his pension as and when monthly payments thereof shall be made.

Subsection (a),
section 12 of the
act, amended
May 15, 1957,
P. L. 138,
further amended.

Section 3. Subsection (a) of section 12 of the act, amended May 15, 1957 (P. L. 138), is amended to read:

Classification
and monthly
payments.

Section 12. (a) Beneficiaries under the fund, who retire on or after January one, one thousand nine hundred fifty-six, 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 months immediately preceding retirement. [but in] *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. In no event shall the maximum monthly pension payment exceed two hundred and fifty dollars per month.*

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APPROVED—The 2nd day of October, A. D. 1959.

DAVID L. LAWRENCE