

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1055 Session of 1989

INTRODUCED BY CAWLEY, TIGUE, BELARDI, MRKONIC, DALEY, KOSINSKI,
DeWEESE, MORRIS, JOHNSON, VEON, BELFANTI, BURD, McVERRY,
TRELLO, JAMES AND LASHINGER, APRIL 5, 1989

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 17, 1989

AN ACT

1 Amending the act of September 23, 1959 (P.L.970, No.400),
2 entitled "An act providing for the creation, maintenance and
3 operation of an employees' retirement system in cities of the
4 second class A, and imposing certain charges on cities of the
5 second class A and school districts in cities of the second
6 class A," further providing for credit for military service.

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

9 Section 1. Section 12 of the act of September 23, 1959
10 (P.L.970, No.400), referred to as the Second Class A City
11 Employe Pension Law, amended July 15, 1968 (P.L.342, No.167), is
12 amended to read:

13 Section 12. Credit for Military Service; Payment into Fund;
14 Reimbursement.--Any city employe who, on or after September 16,
15 1940, has been employed by the city for a period of six months
16 and who, on or subsequent to such date, shall have enlisted or
17 been inducted into the military service of the United States in
18 time of war, armed conflict or national emergency so proclaimed
19 by the President or the Congress of the United States, shall

1 have credited to his employment record, for retirement benefits,
2 all of the time spent by him in such military service during the
3 continuance of such war, armed conflict, or national emergency,
4 and such payments as were heretofore or shall hereafter be
5 required to be made during such period by such city employe into
6 the city employes' retirement fund shall be paid into such fund
7 by the city. Any employes who have made payments into the city
8 employes' retirement fund, for which payments the city is liable
9 under the provisions of this act, shall be reimbursed by the
10 city to the full extent of such payments or be given credit
11 towards future payments under this act.

12 Any member of the pension fund who is a contributor and who
13 served in the armed forces of the United States subsequent to
14 September 1, 1940, and who was not a member of the pension fund
15 prior to such military service, and who commenced employment in
16 city service within [three years] such period from date of
17 release from active duty, may, as the governing body of the city
18 or school district shall determine[,] by ordinance or
19 resolution, be entitled to have full credit for each year or
20 fraction thereof, not to exceed five years of such service upon
21 his payment to the pension fund an amount equal to that which he
22 would have paid had he been a member during the period for which
23 he desires credit, computed with reference to the compensation
24 he received upon entry into city service and his current
25 percentage of salary deductions, and an additional amount as the
26 equivalent of the contributions of the city and school district
27 on account of such military service, together with interest
28 during all periods of subsequent city ~~or school district~~ <—
29 employment to date of purchase as the governing body of the city
30 ~~or school district~~ shall determine by ordinance or resolution, <—

- 1 which amount may be paid in a lump sum or by installments as may
- 2 be approved by the board.
- 3 Section 2. This act shall take effect immediately.