

January 10, 1949 and therein identified as Purpart No. 13, recorded in the Recorder's Office in and for Dauphin County aforesaid in Deed Book I, Volume 39, Page 546, granted and conveyed to Hershey Trust Company, as Trustee for the Hershey Industrial School, now known as Milton Hershey School.

Section 2. The land shall not be acquired until its title has been approved by the Department of Justice.

Section 3. The sum of ten thousand dollars (\$10,000), or as much thereof as may be necessary, is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses, including the completion of an abstract of title.

Section 4. This act shall take effect immediately.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 495

AN ACT

HB 2071

Amending the act of June 27, 1939 (P. L. 1207), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal, and reinstatement of employes (except chiefs and chief clerks) in bureaus of fire and fire alarm operators and fire box inspectors in bureaus of electricity, in cities of the second class; defining the powers and duties of Civil Service Commissions for such purpose in said cities; and repealing inconsistent legislation," requiring any employe convicted of a felony to be summarily dismissed from employment.

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

Section 1. Section 5, act of June 27, 1939 (P. L. 1207), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal, and reinstatement of employes (except chiefs and chief clerks) in bureaus of fire and fire alarm operators and fire box inspectors in bureaus of electricity, in cities of the second class; defining the powers and duties of Civil Service Commissions for such purpose in said cities; and repealing inconsistent legislation," amended July 3, 1963 (P. L. 186), is amended to read:

Section 5. No employe in the competitive class in any bureau of fire in any city of the second class, except any such employe who has been convicted of a felony and whose appellate remedies have been exhausted shall be removed, discharged, or suspended for any period as a

penalty, or reduced in rank or pay without his written consent, except for just cause which shall not be religious or political, nor in any event, except by the decision of a court, either of trial or inquiry, duly determined and certified in writing to the mayor, and approved in writing by the mayor, which court shall be composed of three persons employed in said bureau of fire equal or superior in rank therein to the accused. Such decision shall only be determined by trial of charges, with plain specifications made by or lodged with the director of the department of public safety, of which trial the accused shall have due notice, and at which he shall have the right to be present in person and also by a brother employe or an attorney at law to act as his counsel. The persons composing such court shall be appointed as hereinafter provided, and shall be sworn by the director of the department of public safety to perform their duties impartially and without fear or favor; and the person of highest rank in said court shall have the same authority to issue and enforce process to secure the attendance of witnesses, and to administer oaths to witnesses, as is possessed by any justice of the peace of this Commonwealth. If said persons shall be equal in rank, then the persons composing such court shall select one of their number to exercise said authority. Such charges may be of disability for service, in which case the court shall be one of inquiry, whose decision may be for the honorable discharge from the service of the employe concerned; or of neglect or violation of law or duty, inefficiency, intemperance, disobedience of orders, or unbecoming official or personal conduct, in which cases the court shall be one of trial, and its decision shall authorize the director of the department of public safety to impose fines and pecuniary penalties, to be stopped from pay, or to suspend from pay or duty, or both, for a period fixed by them, not exceeding one year, or to dismiss from the service. It shall be lawful for the director of the department of public safety, at his discretion, to suspend from duty, before trial, any employe charged as aforesaid, until such trial can be had, with or without pay, as such court shall afterwards determine, but no trial shall be delayed for more than one month after the charge has been made.

Any employe in the competitive class in any bureau of fire in any city of the second class convicted of a felony shall be summarily dismissed from employment by the director of the department of public safety.

Section 2. This act shall take effect immediately.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON