

ceased Collector.—The executors or administrators of any deceased tax collector, except a treasurer of a city of the third class and except a county treasurer of any county of the third class designated to collect county and institution district taxes in cities of the third class, shall have the same powers to enforce collection of unpaid taxes as the collector would have if living, and for that purpose, may employ a suitable person to act for them in the execution of the warrants with all the powers possessed by the deceased collector.

Section 4. Section 33 of the act is amended by adding, at the end thereof, a new paragraph to read:

Section 33. Compensation and Expenses of Tax Collector in Cities of the Third Class Shared.—\* \* \*

Provisions of this section shall not apply with respect to county and county institution district taxes in counties of the third class having appointed a county treasurer to assume responsibility for the billing and collection of county and county institution district taxes in cities of the third class.

Section 5. All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 6. This act shall take effect January 1, 1966.

APPROVED—The 2d day of February, A. D. 1966.

WILLIAM W. SCRANTON

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No. 593

AN ACT

HB 2161

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," granting the city the right of appeal.

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

Section 1. The last paragraph of section 6, act of June 27, 1939 (P. L. 1207), entitled, as amended, "An act regulating the appointment, pro-

motion, 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," is amended to read:

Section 6. \* \* \*

After said decision of said court shall have been duly determined, certified in writing to the mayor and approved by the mayor in writing, the director of the department of public safety shall before imposing the penalty so determined, furnish the person so charged with a written statement of the reasons for his said action and shall afford the person so charged a period of at least five days within which to make reply thereto, if he so desires. In every case of such removal, discharge, suspension, reduction or fine, a copy of the statement of the reasons therefor, and the written answer thereto of the person so sought to be penalized, if any, together with a transcript of the proceedings and decision of said trial court shall be furnished forthwith to the Civil Service Commission and entered upon its records. If the employe affected shall demand it, the Civil Service Commission shall upon his written request therefor, grant him a public hearing, which hearing shall be held within a period of fifteen days from his said request. At such hearing, the burden of proof shall be upon the removing officer to justify his action. If the Civil Service Commission shall fail to sustain the action of the removing officer, the person sought to be removed shall be reinstated with full pay for the entire period during which he may have been prevented from performing his usual employment and no charges shall be recorded against him. A written record of all testimony taken at such hearing shall be kept and preserved by the Civil Service Commission, which record shall be sealed and not be available for public inspection unless an appeal be taken by the employe from the action of the commission. Any employe so charged, if he shall demand it in writing, shall be furnished promptly without cost or expense to him, a transcript of the testimony taken before said Civil Service Commission, duly certified by the official reporter. If the Civil Service Commission shall sustain the action of the removing officer, the person removed shall have the right to appeal to the court of common pleas of the county, which appeal shall be taken within ninety days from the entry by the Civil Service Commission of its final order. When such appeal is so taken, the Civil Service Commission shall, not later than ten days after notice of such appeal shall have been served upon it by the employe appealing, make and certify

to the court of common pleas a complete record including the written charges, the employe's answer thereto, if any, the testimony taken before the commission, and all other papers and documents in its files in connection with said appeal. The court of common pleas shall have the power to inspect said record, and if it shall find the same to be incomplete or insufficient in any matter, to order and direct the Civil Service Commission to supply such defect. The court of common pleas shall proceed to hear said appeal upon the record so certified and no additional evidence shall be introduced. The court of common pleas shall have the power to affirm or reverse the order of the Civil Service Commission, or in its discretion, to modify the same. Any employe so charged, who shall be dissatisfied with the decision of the court of common pleas, shall have the right to appeal to the Supreme Court of Pennsylvania. [Neither the city, the removing officer, nor any person other than the employe so charged shall have any right to appeal either to the court of common pleas or to the Supreme Court of Pennsylvania] The city shall have the right of appeal in all cases to the Civil Service Commission, the court of common pleas and the Supreme Court of Pennsylvania.

The power to suspend shall in no event be for minor or petty offenses or for political or religious reasons.

APPROVED—The 2d day of February, A. D. 1966.

WILLIAM W. SCRANTON

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No. 594

AN ACT

SB 33

To provide for an additional law judge of the court of common pleas in the thirty-sixth judicial district.<sup>1</sup>

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

Section 1. In addition to the judges provided for in the act of January 8, 1952 (P. L. 1844), entitled "An act to designate the several judicial districts of the Commonwealth, as required by the Constitution, and to provide for the election and commissioning of judges learned in the law for the said districts," one additional law judge is hereby

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<sup>1</sup>"and making an appropriation" in original.