

Specific repeals.

Section 9. The act of March 6, 1956 (P. L. 1256), known as "The Hotel Occupancy Tax Act," is repealed. Nothing contained in this section shall be construed to affect or terminate any prosecutions or other proceedings pending under the provisions of the act of March 6, 1956 (P. L. 1256), known as "The Hotel Occupancy Tax Act," or of the general laws of this Commonwealth prior to this amendment, or to prevent the commencement or further prosecution of any proceedings for violation of the act of March 6, 1956 (P. L. 1256), known as "The Hotel Occupancy Tax Act" or of the general laws of this Commonwealth.

Effective dates.

Section 10. (a) The provisions of this act amending clause (a) of section 2 and clause (1) of section 203 shall be effective August 20, 1959, and April 15, 1959, respectively. No refunds of taxes, interest or additions paid prior to the date of the enactment of this act shall be made as a result of the amendments to clause (a) of section 2 and clause (1) of section 203.

(b) The provisions of this act adding article IV. and repealing the act of March 6, 1956 (P. L. 1256), known as "The Hotel Occupancy Tax Act," shall take effect thirty days after final enactment.

(c) The provisions of this act amending subsection (b) of section 572 shall be effective May 24, 1956.

(d) All other provisions of this act shall take effect immediately.

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 749

N ACT

Amending the act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," imposing certain duties on the Governor and State agency or political subdivision involved.

Strikes by public employes.

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

Clause (b), section 1, act of June 30, 1947, P. L. 1183, amended December 15, 1955, P. L. 871, further amended.

Section 1. Clause (b) of section 1, act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain condi-

tions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," amended December 15, 1955 (P. L. 871), is amended to read:

Section 1. As used in this act—

Definitions.

* * * * *

(b) The word "strike" means the failure to report for duty, the wilful absence from one's position, the stoppage of work or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purpose of inducing, influencing or coercing a change in the conditions or compensation or the rights, privileges or obligations of employment: Provided, however, That nothing contained in this act shall be construed to limit, impair or affect the right of any public employe to the expression or communication of a view, grievance, complaint or opinion on any matter related to the conditions or compensation of public employment, or the betterment thereof, so long as the same is not designed to and does not interfere with the full, faithful and proper performance of the duties of employment; nor to limit, impair or affect the right of any such employe to attend meetings, conferences or hearings, relating to such matters, so long as such attendance is not designed to interfere with the full, faithful and proper performance of the duties of employment for the further purpose of equitably carrying out the provisions of this act. In order to avoid or minimize any possible controversies by making available full and adequate governmental facilities for the adjustment of grievances, the governmental agency involved, at the request of the public employes, shall, within fifteen (15) days of such request, set up a panel of three members, one to be selected by the employes, one by the governmental agency, and the two so selected to select a third member. If, within fifteen (15) days of their selection, the two members selected by the governmental agency and the employes involved are unable to agree on the third member of the panel, either the governmental agency or the public employes may petition the Court of Common Pleas of Dauphin County, if the controversy involves the Commonwealth of Pennsylvania, its agencies, boards, commissions, or any of its authorities, to select the third member of the panel. If the controversy involves any political subdivision of the Commonwealth or any other authority within a political subdivision, such petition for the selection of a third member of the panel shall be presented to the court of common pleas of the county wherein the political subdivision or the authority is situated. Upon receipt of such a peti-

"Strike."

Proviso.

Grievance procedure.

Setting up panel.

tion, the proper court shall select the third member. The members of the panel shall be compensated for all necessary expenses by the Commonwealth, or the political subdivision thereof, or the authority involved. The panel shall meet within fifteen (15) days. If the grievance can be adjusted through negotiation and informal conferences between the various parties, it shall be so adjusted. If the conference negotiations do not result in rulings satisfactory to all parties concerned within thirty (30) days of a request made for a hearing by any of the parties concerned, the panel shall afford the public employes and the governmental agency a full hearing. Within thirty (30) days of the close of such hearing, the panel shall make their findings, copy of which shall be forthwith sent to the Governor, to the General Assembly, and to the head of the agency, or political subdivision involved. Upon receipt of the findings of the panel, the Governor or the head of the State agency or political subdivision involved [may take administrative measures to remedy the complaints] *shall take the proper administrative measures consistent with rules, regulations and policies established by the Governor, the Executive Board and the Civil Service Commission, to comply with the findings of the panel.* If the Governor or the head of the State agency or political subdivision finds that the situation complained of can only be remedied by legislative action, the Governor [may] *shall* refer the matter to the Legislature for correction, or the head of the State agency or political subdivision [may] *shall* refer the matter to the proper law-making body. If the members of the panel decide that legal counsel is necessary they may, with the approval of the Attorney General, engage local counsel to advise them on the questions involved. In the case of grievances or controversies involving professional employes of the public school system of the Commonwealth, the school board or Board of Public Education, at the request of the employes, shall set up a panel of three members, one an employe of the school district to be selected by the employes, one a member of the board of school directors or Board of Public Education to be selected by such body, and the third shall be the State Superintendent of Public Instruction, or his nominee. The members of the panel shall serve without compensation, but shall receive all necessary traveling expenses, which shall be paid by the school district or Board of Public Education involved.

In the case of grievances or controversies involving employes other than professional employes of the public school system of the Commonwealth, the school board or board of public education, at the request of the employes, shall set up a panel of three members, one to be selected by such employes, one to be selected by the

Duties of panel.

Duties of Governor or head of State agency or political subdivision.

Grievances involving professional employes.

Grievances involving non-professional employes.

Board of School Directors or Board of Public Education and the two so selected to select a third member. The panel shall meet within fifteen (15) days and shall consider all grievances submitted to it by the authorized representatives of such employes. The members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district involved.

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 750

AN ACT

Amending the act of May 2, 1929 (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

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

Section 1. Section 15, act of May 2, 1929 (P. L. 1237), known as "The Divorce Law," amended June 10, 1935 (P. L. 294), is amended to read:

Section 15. Jurisdiction.—[The several courts of common pleas of this Commonwealth shall have original jurisdiction of cases of divorce from the bonds of matrimony, from bed and board, and in annulment of marriages under the provisions of this act. The said courts shall have power to grant divorces, and to annul marriages, notwithstanding the fact that the marriage of the parties and the cause for divorce occurred outside of this Commonwealth, and that both parties were at the time of the occurrence of said cause domiciled without this Commonwealth, and that the respondent has been served with the subpoena only by publication, as provided by this act.

All petitions or libels for divorce shall be exhibited to the court of the county where either libellant or respondent resides.

Petitions or libels for the annulment of void or voidable marriages may be exhibited to the court of common pleas of the county where the marriage was contracted, or in the county where either * the libellant or respondent resides, and, in such cases, residence of the libellant within the county or State, for any period shall not be required.]

The Divorce Law.

Section 15, act of May 2, 1929, P. L. 1237, amended June 10, 1935, P. L. 294, further amended.

* "or" in original.