

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 2235 Session of  
1978

INTRODUCED BY WISE, HARPER, IRVIS, MANDERINO, REED, FLAHERTY,  
DAVIES, GLEESON, J. L. WRIGHT JR., MEBUS, BROWN, HOFFEL,  
KUKOVICH, COLE, RHODES, ITKIN, HASKELL, MILANOVICH, COHEN,  
O'DONNELL, SWEET, ZEARFOSS, LEVIN, HONAMAN, E. Z. TAYLOR,  
PICCOLA, SCIRICA, COWELL, WILSON, M. H. GEORGE, GILLETTE,  
KERNICK, POTT, RICHARDSON AND WHITE, APRIL 3, 1978

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 3, 1978

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled  
2 "An act concerning townships of the first class; amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," providing for equal rights between men and women.

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

7 Section 1. Section 402, act of June 24, 1931 (P.L.1206,  
8 No.331), known as "The First Class Township Code," reenacted and  
9 amended May 27, 1949 (P.L.1955, No.569), and amended September  
10 7, 1955 (P.L.563, No.140), is repealed.

11 Section 2. Section 644 and clause XXXVIII of section 1502 of  
12 the act are amended to read:

13 Section 644. Removals.--No person employed in any police or  
14 fire force of any township shall be suspended, removed or  
15 reduced in rank except for the following reasons: (1) physical  
16 or mental disability affecting his ability to continue in  
17 service, in which cases the person shall receive an honorable

1 discharge from service; (2) neglect or violation of any official  
2 duty; (3) violation of any law of this Commonwealth which  
3 provides that such violation constitutes a misdemeanor or  
4 felony; (4) inefficiency, neglect, intemperance, disobedience of  
5 orders, or conduct unbecoming an officer; (5) intoxication while  
6 on duty; (6) engaging or participating in conducting of any  
7 political or election campaign otherwise than to exercise his  
8 own right of suffrage. A person so employed shall not be removed  
9 for religious, racial or political reasons. A written statement  
10 of any charges made against any person so employed shall be  
11 furnished to such person within five days after the same are  
12 filed with the commission.

13 If for reasons of economy or other reasons it shall be deemed  
14 necessary by any township to reduce the number of paid employes  
15 of the police or fire force, then such township shall apply the  
16 following procedure: (a) if there are any employes eligible for  
17 retirement under the terms of any retirement or pension law,  
18 then such reduction in numbers shall be made by retirement if  
19 the party to be retired is eligible for retirement; (b) if the  
20 number of paid employes in the police or fire forces eligible to  
21 retirement is insufficient to effect the necessary reduction in  
22 numbers or if there are no persons eligible for retirement or if  
23 no retirement or pension fund exists, then the reduction shall  
24 be effected by furloughing the [man or men] person or persons,  
25 including probationers, last appointed to the respective force.  
26 Such removal shall be accomplished by furloughing in numerical  
27 order commencing with the [man] person last appointed until such  
28 reduction shall have been accomplished. In the event the said  
29 police force shall again be increased, the employes furloughed  
30 shall be reinstated in the order of their seniority in the

1 service.

2 Section 1502. The corporate power of a township of the first  
3 class shall be vested in the board of township commissioners.

4 The board shall have power--

5 \* \* \*

6 XXXVIII. Soldiers' Cemeteries. To purchase plots of ground  
7 in any cemetery or burial ground for the interment of such  
8 deceased service [men] persons who shall hereafter die within  
9 such township, or shall die beyond such township and shall have  
10 a legal residence within such township at the time of their  
11 death, and whose bodies are entitled to be buried by the county  
12 under the provisions of existing laws. Such plots of ground  
13 shall be paid for out of the treasury of such township.

14 \* \* \*

15 Section 3. Clause XLVII.II of section 1502 of the act, added  
16 July 3, 1957 (P.L.469, No.263), is amended to read:

17 Section 1502. The corporate power of a township of the first  
18 class shall be vested in the board of township commissioners.

19 The board shall have power--

20 \* \* \*

21 XLVII.II. Appropriations for Community Nursing Services. To  
22 appropriate money annually towards any nonprofit associations or  
23 corporations which provide community nursing services for the  
24 control of communicable disease, the immunization of children,  
25 the operation of child health centers (Well-Baby Clinics),  
26 instructive visits to [mothers] parents of new babies beginning  
27 in the prenatal period and family health guidance, including  
28 nutrition, detection and correction of defects, all of which  
29 relate to the responsibilities of local boards of health.

30 \* \* \*

1       Section 4.   Section 1621 of the act is amended to read:

2       Section 1621.   Jury of View.--The court shall thereupon  
3   appoint a jury of view of three [men] persons of the county. The  
4   jury, being sworn or affirmed to faithfully perform its duties,  
5   shall give notice to all parties likely to be affected by the  
6   proceedings, of the time and place of the first meeting, in such  
7   manner as the court shall direct.

8       Section 5.   This act shall take effect in 60 days.