

private, parochial, or other school, *including kindergarten*, to refuse the admission of any child to any of said schools under their charge or supervision, except upon a certificate signed by a physician, setting forth that such child has been vaccinated and that a subsequent examination reveals a resulting cicatrix indicating successful vaccination, or that vaccination has been performed according to the rules and regulations promulgated by the Secretary of Health, with the sanction and advice of the Advisory Health Board, or that the child has previously had smallpox. All certificates of vaccination shall be issued in accordance with the rules and regulations promulgated by the Secretary of Health with the sanction and advice of the Advisory Health Board.

(b) Any person who shall fail, neglect, or refuse to comply with, or who shall violate, any of the provisions or requirements of this section, shall, for every such offense, upon summary conviction thereof, be sentenced to pay a fine of not less than five dollars (\$5) nor more than one hundred dollars (\$100), and in default thereof, to undergo an imprisonment in the jail of the proper county for a period not exceeding sixty (60) days. All such fines shall be paid into the treasury of the school district.

APPROVED—The 15th day of April, A. D. 1959.

DAVID L. LAWRENCE

No. 18

AN ACT

Amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," authorizing submission of question of formation of union or merged districts at primary elections.

Public School
Code of 1949.

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

Section 251, act
of March 10,
1949, P. L. 30,
amended August
19, 1953, P. L.
1174, further
amended.

Section 1. Section 251, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended August 19, 1953 (P. L. 1174), is amended to read:

Section 251. How Formed.—Any two or more school districts may form a union school district, in the following manner: Each of the districts desiring to form a union school district shall present a petition to the county commissioners of the county where such district is located, signed by at least a majority of the members

of the board of school directors of each of said districts, or any elector of either district may present a petition to the county commissioners, signed by at least twenty-five per centum (25%) of the registered electors of each district. The county commissioners shall take no action upon such petitions until they have been approved in writing by the Superintendent of Public Instruction. After such petitions have been approved and filed, it shall be the duty of the county commissioners to submit to the electors of the respective districts desiring to form a union school district, at the next general [or], municipal *or primary* election, a question whether or not such school district shall be united into a union school district. Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions.

Section 2. Section 263 of the act, amended August 19, 1953 (P. L. 1102), is amended to read :

Section 263, act of March 10, 1949, P. L. 30, amended August 19, 1953, P. L. 1102, further amended.

Section 263. Petitions and Elections for Mergers; Returns; When Effective.—Upon the approval of said plans by the State Council of Education, it shall be the duty of the county board of school directors to prepare and present petitions for such mergers to the court of common pleas of the county. In case such districts or parts of districts are situated in two or more counties, the petitions shall be presented to the court of common pleas of the county in which the largest part in area of the land affected is situated, which court shall have exclusive jurisdiction over the matter.

Whenever the State Council of Education approves said plans, at least one hundred days prior to a general [or], municipal *or primary* election, and the county board of school directors fail to present petitions to the court for submission of the question at such election, then any elector of a school district involved may present such a petition to the court, signed by at least fifteen per cent of the electors in each school district, for submission of the question at any subsequent general [or], municipal *or primary* election.

The petition for any such merger shall request the submission of the question of such merger to the electors of each district affected thereby at the next general [or], municipal *or primary* election to be held at least ninety (90) days after the presentation of said petition. The question to be submitted to the electors shall be framed by the court and be by it certified to the county commissioners for submission to the electors of each district affected thereby. Such submission shall be in accordance with the laws of this Commonwealth relating to the submission of similar questions.

If a majority of the electors of each school district voting therein shall be in favor of merger, as shown by the returns of the election, a certificate of the returns shall be filed with the Superintendent of Public Instruction, the prothonotary of the court of common pleas, the county board of school directors, and the board of school directors of each of said school districts. The merger shall become effective on the first Monday in July next succeeding the election. The merger shall be effective as to only those districts in which a majority of the electors voting on the question shall have assented to the merger. If the electors do not assent to the merger, revised plans shall be submitted within five years in accordance with the foregoing procedure.

Effective immediately.

Section 3. This act shall take effect immediately.

APPROVED—The 15th day of April, A. D. 1959.

DAVID L. LAWRENCE

No. 19

AN ACT

Amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," extending the time for authority employes to join or refuse to join the pension fund.

Cities of the second class.

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

Section 15, act of May 28, 1915, P. L. 596, amended February 1, 1956, P. L. 990, further amended.

Section 1. Section 15, act of May 28, *1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," amended February 1, 1956 (P. L. 990), is amended to read:

Authorities to reimburse board of pensions.

Section 15. Every authority, the employes of which are members of the fund as hereinabove provided for, shall pay to the board of pensions an amount sufficient to reimburse the board of pensions for the amount of benefits paid employes of such authority, as provided for by the act of which this amendment is a part, after receiving credit for all contributions made to the pension fund by employes of such authority: Provided, however, That where an employe of any authority formerly worked for the city creating the authority, or for the city joining in the creation of the authority, or for the city joining an authority already created, the annual pension requirement or other benefits shall

Amount of reimbursement.

Proviso.

* "1815" in original.