

No. 29

AN ACT

Amending the act of June 3, 1937 (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that persons appointed to fill a vacancy in the election board shall serve for the unexpired term of the person whose place he is appointed to fill, and providing for the selection and the term of the members of new boards.

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

Pennsylvania
Election Code.

Section 1. Section 405, act of June 3, 1937 (P. L. 1333), known as the "Pennsylvania Election Code," is amended to read:

Section 405, act
of June 3, 1937,
P. L. 1333,
amended.

Section 405. Vacancies in Election Boards; Appointment; Judge and Majority Inspector to Be Members of Majority Party; Minority Inspector to Be Member of Minority Party.—[The first election board for any new district shall be selected, and vacancies] (a) *Vacancies* in election boards existing by reason of the disqualification, removal, resignation or death of an election officer, or from any other cause, occurring prior to the day of any primary or election, shall, in all cases, be filled by appointment, by the court of quarter sessions of the proper county, of competent persons, qualified in accordance with the provisions of this act, who shall serve [until their successors are elected at the next succeeding municipal election] *for the unexpired term of the person whose place he is appointed to fill*: Provided, however, That any district election officer who, after his election or appointment, changes his political affiliation, shall not thereby become disqualified to serve on said election board, and shall not thereby be subject to removal. In making such appointments, the court of quarter sessions shall receive and consider any petitions filed by qualified electors of the district affected, and shall make no appointment to fill any vacancy occurring more than five days before any primary or election, unless notice of the time at which they will make such appointment shall have been posted on the polling place of such district, and in the immediate vicinity thereof, at least five days prior thereto. In the appointment of inspectors in any election district, both shall not be of the same political party at the time of said appointment, but one shall be of the

party having the largest number of votes and the other shall be of the party having the second largest number of votes in said district at the last preceding November election, as nearly as the judge or judges can ascertain the fact. The judge of election shall, in all cases of appointment, be of the political party having the majority of votes in said district at the last preceding November election, as nearly as the judge or judges can ascertain the fact. Immediately upon the entry of an order of court filling any vacancy on an election board, the clerk of said court shall forthwith transmit a certified copy of said order to the county board, giving the name and address of said appointee.

(b) The first election board for any new district shall be selected, by the court of quarter sessions of the proper county, of competent persons, qualified in accordance with the provisions of this act, who shall serve until the next municipal election at which all election officials are elected under the provisions of section 401 of this act.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 22d day of April, A. D. 1959.

DAVID L. LAWRENCE

No. 30

AN ACT

Amending the act of June 1, 1945 (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies *which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the short title of the act.

Motor Vehicle Safety Responsibility Act.

Section 39, act of June 1, 1945, P. L. 1340, amended.

Short Title.

Effective immediately.

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

Section 1. Section 39, act of June 1, 1945 (P. L. 1340), known as the "Motor Vehicle Safety Responsibility Act," is amended to read:

Section 39. Title of Act.—This act may be cited as the Motor Vehicle [Safety] *Financial* Responsibility Act.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

* "whch" in original.

APPROVED—The 27th day of April, A. D. 1959.

DAVID L. LAWRENCE