

## 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," increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

Pennsylvania  
Election Code.

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

Subsection (b),  
section 412, act  
of June 3, 1937,  
P. L. 1333,  
amended July 25,  
1953, P. L. 591,  
further amended.

Section 1. Subsection (b) of section 412, act of June 3, 1937 (P. L. 1333), known as the "Pennsylvania Election Code," amended July 25, 1953 (P. L. 591), is amended to read:

Section 412. Compensation of Election Officers.—

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(b) In counties of the third, fourth, fifth, sixth, seventh, and eighth classes, the compensation of judges, inspectors, clerks and machine inspectors in districts using voting machines shall be fixed by the county board of elections of the county at not less than the following: judges of election, [ten dollars (\$10)] *twelve dollars (\$12)*; inspectors and clerks, [eight dollars (\$8)] *ten dollars (\$10)*; and machine operators, [six dollars (\$6)] *eight dollars (\$8)*; and not more than the following: judges of election, [twenty dollars (\$20)] *twenty-four dollars (\$24)*; inspectors and clerks, [seventeen dollars fifty cents (\$17.50)] *twenty-two dollars (\$22)*; and machine operators, [fifteen dollars (\$15)] *twenty dollars (\$20)*; for each primary and election. In districts using voting machines the county board of elections may, in its discretion, establish different per diem rates within the above mentioned minima and maxima based on the number of votes cast for the following groups: 150 votes or less, 151 to 500 votes, 501 to 1000 votes, over 1000 votes. In every election district using paper ballots in such counties, the compensation of judges, inspectors and clerks shall be fixed by the county board of elections of the county at not less than six dollars (\$6) nor more than ten dollars (\$10) for each primary and election. In any election district using paper ballots in such counties in which more than one hundred votes are cast at any primary or election all

such officers and clerks shall each receive additional compensation at the rate of two dollars (\$2) for each [one hundred] *fifty* votes, or fraction thereof, cast after the first one hundred votes.

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APPROVED—The 28th day of August, A. D. 1959.

DAVID L. LAWRENCE

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No. 290

AN ACT

Amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing that the civil service provisions of the act shall not apply to the retirement of police and firemen.

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

The Borough Code.

Section 1. Section 1165, act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621), is amended to read:

Section 1165, act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, further amended.

Section 1165. Appointments of Police and Firemen.—This subdivision (j) of this article shall not apply to any borough having a police force of less than three members or to volunteer departments, or companies employing their own operators, or to boroughs having less than three salaried operators of fire apparatus. This subdivision (j) of this article is subject as heretofore to the power of council to determine compensation. Hereafter each and every appointment to and promotion in the police force or as fire apparatus operators paid directly by the borough in every borough shall be made only according to qualifications and fitness, to be ascertained by examinations which shall be competitive as hereinafter provided.

No person shall hereafter be suspended, removed or reduced in rank as a paid employe in any police force or as a paid operator of fire apparatus of any borough, except in accordance with the provisions of this subdivision. *However, nothing in this subdivision (j) shall apply to retirement nor shall anything herein prevent any borough from adopting a compulsory retirement age for its employes or for any class or classes thereof and from retiring all such employes automatically when they reach such age.*

APPROVED—The 28th day of August, A. D. 1959.

DAVID L. LAWRENCE