

Section 2. The act is amended by adding, after section 2, a new section to read:

*Section 3. Upon presentation of a petition to the board of supervisors or board of commissioners of a township, signed by at least twenty per centum (20%) of the registered electors of such township, requesting that a question be placed on the ballot to determine whether the electorate of such township desire to have one-half of such moneys set apart for the benefit of the public schools and one-half for the benefit of the public roads of the township in lieu of the basis for distribution provided in section 2 of this act, such board of supervisors or board of commissioners shall, by resolution duly adopted, petition the county board of elections of the county in which the township is situated to have such question submitted to the electors of the township. The county board of elections shall cause such question to be placed on the ballots or on the voting machines and submitted to the electors of the township at the first primary or November election occurring at least sixty days thereafter in the manner provided by the election laws of the Commonwealth. If a majority of the persons voting on such question vote "yes," then one-half of such moneys shall be set apart for public schools and one-half for public roads of such township, but that amount of such money representing the one-fourth increase for the benefit of public roads of such township shall only be expended for highway projects which will be of benefit to public schools. If a majority of the persons voting on the question vote "no," such moneys shall continue to be set apart on the basis provided in section 2 of this act. The same question shall not be voted upon again prior to an election occurring at least five years thereafter.*

Act of April 27, 1925, P. L. 324, amended by adding a new section 3.

Petition of electors.

Petition of supervisors.

Question to electors.

Limitation on submission of same question.

APPROVED—The 11th day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 351

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 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," changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor.

**Pennsylvania  
Election Code.**

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

Subsection (b),  
section 951, act  
of June 3, 1937,  
P. L. 1333,  
amended May 16,  
1951, P. L. 302,  
further amended.

Section 1. Subsection (b) of section 951, act of June 3, 1937 (P. L. 1333), known as the "Pennsylvania Election Code," amended May 16, 1951 (P. L. 302), is amended to read:

Section 951. Nominations by Political Bodies.—

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(b) Where the nomination is for any office to be filled by the electors of the State at large, the number of qualified electors of the State signing such nomination paper shall be at least equal to one-half of one per centum of the largest entire vote cast for any elected candidate in the State at large at the last preceding election at which State-wide candidates were voted for. In the case of all other nominations, the number of qualified electors of the electoral district signing such nomination papers shall be at least equal to two per centum of the largest entire vote cast for any officer, except a judge of a court of record, elected at the last preceding election in said electoral district for which said nomination papers are to be filed, *and shall be not less than the number of signers required for nomination petitions for party candidates for the same office.* In cases where a new electoral district shall have been created, the number of qualified electors signing such nomination papers, for candidates to be elected at the first election held after the creation of such district, shall be at least equal to two per centum of the largest vote cast in the several election districts, which are included in the district newly created, for any officer elected in the last preceding election.

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Section 954, act  
of June 3, 1937,  
P. L. 1333,  
amended.

Section 2. Section 954 of the act is amended to read:

Section 954. Filing Fee.—*The same filing fee shall be paid for each candidate nominated by a nomination paper as required in section 913 for the filing of nomination petitions by candidates for nomination to the same office.* Each nomination paper nominating a candidate or a group of candidates for office shall be accompanied by a certified check or money order drawn in the proper amount to cover the filing fees for each candidate nominated therein but in no case less than the sum of five dollars (\$5.00), and payable to the Commonwealth of Pennsylvania or to the county, as the case may be. All fees so received by the Secretary of the Common-

wealth or the county election board shall be transmitted to the State Treasurer or to the county treasurer, as the case may be, and shall become part of the General Fund.

APPROVED—The 11th day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 352

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," further designating magistrates, aldermen or justices of the peace before whom informations charging summary offenses may be brought.

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

Section 1. Section 1202, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended May 17, 1957 (P. L. 144), is amended to read:

Section 1202, act of June 3, 1937, P. L. 1225, amended May 17, 1957, P. L. 144, further amended.

Section 1202. Procedure.—All summary proceedings under the provisions of this act shall be commenced by affidavit made within two years after the date of any violation before the nearest available magistrate, alderman or justice of the peace [within the city, borough, incorporated town or township in the county where the alleged violation occurred, or if there is no person holding the office of magistrate, alderman or justice of the peace in such city, borough, incorporated town or township, then such information shall be brought before such nearest available magistrate, alderman or justice of the peace] in any [adjoining] city, borough, incorporated town or township in the county. *The term "available magistrate, alderman or justice of the peace" shall mean a magistrate, alderman or justice of the peace who is in his regular office between the hours of nine o'clock antemeridian and five o'clock postmeridian of the same day, or who is in his office at other specified hours notice of which is at all times posted on the outside of his door. A magistrate shall be deemed to be not available if he is not in his regular office between the hours of nine o'clock antemeridian and five o'clock postmeridian of any day, or if he does not have posted on his door notice of other specified hours during which he will be at his office, or if he is not at his office during those specified hours or if in any particular proceeding he*