

duties and liabilities upon operators; and imposing penalties," re-enacted and amended July 1, 1937 (P. L. 2482), are amended to read:

Section 2. At every bituminous coal mine, where coal is mined by measurement, all cars filled by miners and their laborers shall be uniform in capacity at each mine. No unbranded car shall enter the mine for a longer period than one month without being branded by the sealer of weights and measures of the county wherein the mine is located or by the Department of [Internal Affairs] Mines and Mineral Industries. Any owner or his agent violating the provisions

of this section shall be subject to a fine of not less than one dollar (\$1.00) per car for each and every day such car, not in conformity with this act, is used. The sealer of weights and measures or the Department of [Internal Affairs] Mines and Mineral Industries, as the case may be, on receiving notice from the checkmeasurer or any five miners working in the mine, that a car or cars are not properly branded or not uniform in capacity according to law are used in a mine, then inside of three days from the date of receiving said notice, it shall enforce the provisions of this section.

Section 6. When differences arise between the checkweighman or checkmeasurer and the agent or owners of the mine as to the uniformity, capacity or correctness of scales or cars used, the same shall be referred to either the sealer of weights and measures of the county where the mine is located, or to the Department of [Internal Affairs] Mines and Mineral Industries whose duty it shall be to regulate the same at once.

Section 2. This act shall take effect immediately.

APPROVED—The 20th day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 211

AN ACT

SB 934

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," fixing and increasing the compensation of certain election officials.

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

Section 1. Subsection (a) of section 412, act of June 3, 1937 (P. L. 1333), known as the "Pennsylvania Election Code," amended March 20, 1956 (P. L. 1308), is amended to read:

Section 412. Compensation of Election Officers.—(a) In counties of the first and second classes, second class A and third class, the compensation of judges of election shall be [twenty-five dollars (\$25.00)] thirty dollars (\$30.00), and the compensation of inspectors, clerks and machine inspectors shall be [twenty dollars (\$20.00)] twenty-five dollars (\$25.00) for each primary and election.

* * *

Section 2. Subsection (b) of section 412 of the act, amended July 17, 1963 (P. L. 274), is amended to read:

Section 412. Compensation of Election Officers.—* * *

(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, [twelve dollars (\$12)] sixteen dollars (\$16.00); inspectors and clerks, [ten dollars (\$10)] fourteen dollars (\$14.00); and machine operators, [eight dollars (\$8)] twelve dollars (\$12.00); and not more than the following: judges of election, [twenty-four dollars (\$24)] twenty-eight dollars (\$28.00); inspectors and clerks, [twenty-two dollars (\$22)] twenty-six dollars (\$26.00); and machine operators, [twenty dollars (\$20)] twenty-four dollars (\$24.00); 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 [twelve dollars (\$12)] sixteen dollars (\$16.00) nor more than [seventeen dollars (\$17)] twenty-one dollars (\$21.00) 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)] (\$2.00) for each fifty votes, or frac-

tion thereof, cast after the first one hundred votes. But in no case shall total compensation for any judge, inspector or clerk exceed the sum of [thirty-five dollars (\$35)] thirty-nine dollars (\$39.00) for any one primary or election.

* * *

Section 3. Section 412 of the act is amended by adding after subsection (e), a new subsection to read:

Section 412. Compensation of Election Officers.—

* * *

(f) In counties of the second class and second class A, the county board of elections may require the minority inspector of elections to accompany the judge of elections in transmitting returns of primaries and elections in which case, the judge of elections and minority inspector of elections shall each be entitled to receive the sum of three dollars and fifty cents (\$3.50) as full compensation for said service.

Section 4. This act shall take effect immediately.

APPROVED—The 20th day of July, A. D. 1968.

RAYMOND P. SHAFER.

No. 212
AN ACT

SB 991

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," increasing penalties for cruelty to minors and creating the crime of aggravated cruelty to minors.

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

Section 1. Section 728, act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended to read:

Section 728. Cruelty to Minors.—Whoever cruelly ill-treats, abuses, or inflicts unnecessary cruel punishment upon any minor child, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine not exceeding [two hundred dollars (\$200), and, upon default in the payment of the fine, and costs,] five hun-