

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1375

Session of
1975

INTRODUCED BY MESSRS. ECKENSBERGER, PRATT, DOYLE, ZORD, REED,
CUMBERLAND, ZELLER, POLITE, STAPLETON, RITTER, ZWIKL, DAVIS,
DiCARLO, BRANDT, LEHR, MCGINNIS, SPENCER, RUGGIERO AND
GARZIA, JUNE 3, 1975

AS REPORTED FROM COMMITTEE ON LAW AND JUSTICE, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 25, 1975

AN ACT

1 Implementing the provisions of article V of the Constitution of
2 Pennsylvania relating to district justices; establishing
3 magisterial districts; setting salaries and expenses;
4 providing for certain education requirements; fixing
5 jurisdiction; creating an administrator for district justices
6 and imposing powers and duties on such administrator;
7 requiring certain liability insurance; and making repeals.

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

ARTICLE I

Preliminary Provisions

12 Section 101. Short Title.--This act shall be known and may
13 be cited as the "Magisterial District Reform Act."

14 Section 102. Application.--Except for magisterial districts
15 in cities of the first class and counties of the first class,
16 this act shall apply to all magisterial districts in this
17 Commonwealth.

18 Section 103. Definitions.--As used in this act:

19 "Board" means the administrative board known as the "Minor

1 Judiciary Education Board" established by this act.

2 "Court" means the Supreme Court of Pennsylvania or the court
3 of common pleas for each judicial district under the direction
4 of the Supreme Court of Pennsylvania.

5 "Department" means the Department of Education.

6 "District justice" means a justice of the peace elected or
7 appointed to a term of office on or after January 1, ~~1976~~ 1970. <—

8 "Political subdivision" means a city of the second class, a
9 city of the second class A, city of the third class, borough,
10 incorporated town and townships of the first or second class or
11 any similar general purpose unit of government hereafter created
12 by the General Assembly.

13 "Population" means the number of persons residing within a
14 political subdivision or part thereof as determined by the then
15 current Federal decennial or Federal special census.

16 "Population density" means the number of persons residing
17 within a political subdivision or part thereof as determined by
18 dividing said number by the land area expressed in square miles
19 as determined in the official publication by the Bureau of
20 Statistics of the Department of Commerce.

21 ARTICLE II

22 Magisterial Districts and Compensation

23 Section 201. Classification of Magisterial Districts.--(a)
24 Second class counties.--The classes of magisterial districts in
25 judicial districts coextensive with counties of the second class
26 shall be determined as follows:

27 (1) Magisterial districts of the first class shall have a
28 population density of more than 5,000 persons per square mile
29 and a population of not less than 65,000 persons.

30 (2) Magisterial districts of the second class shall have a

1 population density of more than 500 persons per square mile and
2 a population of between 22,500 and 65,000 persons.

3 (3) Magisterial districts of the third class shall have a
4 population density of more than 200 persons per square mile and
5 a population of between 12,000 and 22,500 persons.

6 (4) Magisterial districts of the fourth class shall have a
7 population density of more than 70 persons per square mile and a
8 population of between 7,500 and 12,000 persons.

9 (5) Magisterial districts of the fifth class shall have a
10 population density of less than 70 persons per square mile and a
11 population of between 4,000 and 7,500 persons.

12 (b) Other counties.--The classes of magisterial districts in
13 judicial districts not coextensive with counties of the first
14 class or counties of the second class shall be determined as
15 follows:

16 (1) Magisterial districts of the first class shall have a
17 population density of more than 1,000 persons per square mile
18 and a population of not less than 15,000 persons.

19 (2) Magisterial districts of the second class shall have a
20 population density of more than 400 persons per square mile and
21 a population of not less than 4,000 persons.

22 (3) Magisterial districts of the third class shall have a
23 population density of less than 400 persons per square mile and
24 a population of not less than 4,000 persons.

25 (4) Magisterial districts of the fourth class shall have a
26 population density of less than 400 persons per square mile and
27 a population of between 2,000 and 4,000 persons. The number of
28 magisterial districts of the fourth class within a judicial
29 district shall not be increased.

30 Section 202. Reestablishment of Magisterial Districts.--(a)

1 General rule.--In each year following that in which the Federal
2 decennial census is officially reported as required by Federal
3 law the court shall reestablish the number, boundaries and
4 classes of magisterial districts within each judicial district
5 except:

6 (1) The first judicial district.

7 (2) Any judicial district where a community court has been
8 established and not discontinued.

9 The number, boundaries and class of magisterial districts within
10 each judicial district shall be revised from time to time as
11 required for the efficient administration of justice within each
12 magisterial district.

13 (b) Discontinuance of community court.--The court upon the
14 discontinuance of a community court shall establish the number,
15 boundaries and classes of magisterial districts within the
16 judicial district embracing such discontinued community court.
17 Such action shall be completed prior to the first Monday of
18 January of the odd-numbered year next following the primary
19 election at which the discontinuance of the community court is
20 approved.

21 (c) Standards for establishment of magisterial districts.--
22 In the case of a political subdivision containing within its
23 boundaries two or more magisterial districts, the court shall
24 divide the political subdivision into magisterial districts as
25 nearly equal as possible in population and area, and the court
26 may presume that the population density of each part of a
27 political subdivision is the same population density as for the
28 whole political subdivision. The court in establishing the
29 number and boundaries of magisterial districts shall not
30 subdivide political subdivisions unless either:

1 (1) the political subdivision contains two or more
2 noncontiguous parts; or

3 (2) the political subdivision contains within its boundaries
4 two or more magisterial districts, in which case wards or other
5 election districts of the political subdivision shall not be
6 subdivided.

7 Section 203. Number of Justices.--There shall be one
8 district justice for each magisterial district established.

9 Section 204. Full-time Occupation.--The office of district
10 justice shall be a full-time position and any holder thereof
11 shall not engage in any other gainful employment except that of
12 district justice. NO DISTRICT JUSTICE SHALL HOLD ANY OTHER <—
13 ELECTED OR APPOINTED PUBLIC OFFICE IN THE COMMONWEALTH. ALL
14 DISTRICT JUSTICES SHALL BE SUBJECT TO THE CANONS OF ETHICS
15 APPLIED TO JUDGES OF THE COURTS OF COMMON PLEAS OF THIS
16 COMMONWEALTH INSOFAR AS SUCH CANONS APPLY TO SALARIES, FULL-TIME
17 DUTIES AND CONFLICTS OF INTEREST.

18 SECTION 205. RETIRED DISTRICT JUSTICES.--RETIRED DISTRICT <—
19 JUSTICES, WHO RETIRE SUBSEQUENT TO JANUARY 1, 1976, MAY BE
20 ELIGIBLE FOR RECALL TO DUTY BY THE DISTRICT JUSTICE
21 ADMINISTRATOR AT THE SAME PER DIEM SALARY AS PAID TO A DISTRICT
22 JUSTICE SERVING OUTSIDE OF THE ELECTED MAGISTERIAL DISTRICT.

23 A QUALIFIED RETIRED DISTRICT JUSTICE, WHO WISHES TO BE
24 RECALLED FOR DUTY, SHALL REGISTER WITH THE DISTRICT JUSTICE
25 ADMINISTRATOR AND AGREE TO ABIDE BY ANY RULES AND REGULATIONS
26 SET FORTH BY THE ADMINISTRATOR.

27 RETIRED DISTRICT JUSTICES SHALL NOT INCLUDE DISTRICT JUSTICES
28 DEFEATED FOR REELECTION BY THE ELECTORATE, NOR SHALL IT INCLUDE
29 ANY DISTRICT JUSTICE WHO WAS SUSPENDED OR REMOVED FROM OFFICE.

30 Section ~~205~~ 206. Compensation.--(a) Annual compensation.--A <—

1 district justice shall receive an annual salary of \$19,500 paid
2 by the Commonwealth in bimonthly installments. The court of
3 common pleas of the judicial district in which the district
4 justice presides shall certify the number of district justices
5 within the judicial district to the State Treasurer.

6 (b) Expenses while temporarily assigned.--Any district
7 justice temporarily assigned to sit outside the political
8 subdivision in which such justice's magisterial district is
9 located shall be paid by the county, in which magisterial
10 district the justice is temporarily assigned to, the actual,
11 accountable expenses, not to exceed \$44 per day, and mileage at
12 15¢ per mile for each day as such justice is so assigned.

13 Section ~~206~~ 207. Mandatory Liability Insurance.--Every <—
14 district magistrate shall be covered by an errors and omissions
15 liability insurance policy to be purchased by the Commonwealth
16 in such amounts as are set forth by the Supreme Court.

17 The cost of such liability insurance shall be equally divided
18 between the Commonwealth and the individual district justices.

19 Section ~~207~~ 208. Offices.--The district justice shall <—
20 establish an office or offices within the magisterial district
21 in locations approved by the president judge of the court of
22 common pleas in compliance with standards and rules prescribed
23 by the Supreme Court.

24 Reasonable costs and expenses incident to the establishment,
25 maintenance and operation of offices of district justices as
26 approved by the president judge of the court of common pleas and
27 the county commissioners in compliance with standards and rules
28 prescribed by the Supreme Court shall be paid by the county in
29 which the offices are located.

30 Section ~~208~~ 209. Costs; Disposition.--All costs collected by <—

1 a district justice shall be paid monthly to the county in which
2 his magisterial district is located, and such costs shall be
3 retained by the county for its use.

4 ARTICLE III

5 Powers and Duties

6 Section 301. Powers of District Justices.--Every district
7 justice shall have power to issue every lawful process to or to
8 be served or enforced by system and related personnel and to
9 make such lawful orders as his official business may require.

10 Section 302. Seal.--Each magisterial district shall have a
11 seal, which shall be in the custody of the district justice
12 elected or appointed for such district. The official acts of the
13 district justice shall be authenticated therewith. There shall
14 be engraved on the seal such inscription as may be specified by
15 general rule.

16 Section 303. Jurisdiction.--Except as otherwise provided,
17 district justices shall, under procedures prescribed by general
18 rule, have jurisdiction of the following matters:

19 (1) All civil claims wherein the sum demanded does not
20 exceed \$2,000, exclusive of interest and costs, in the following
21 classes of cases:

22 (i) actions in assumpsit, except cases where the title to
23 real estate may be in question;

24 (ii) actions in trespass, including all forms of trespass
25 and trespass on the case; and

26 (iii) actions for fines and penalties by any government
27 agency.

28 A plaintiff may waive a portion of the claim of more than \$2,000
29 so as to bring the matter within the jurisdiction of a district
30 justice. Such waiver shall remain effective except upon appeal

1 by either party or when the judgment is set aside upon
2 certiorari.

3 (2) All summary offenses, except those within the
4 jurisdiction of an established and open traffic court.

5 (3) All violations under the provisions of section 1037 of
6 the act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle
7 Code," provided the following criteria are met:

8 (i) the violation is a first offense;

9 (ii) no personal injury resulted from the violation;

10 (iii) no property damage resulted from the violation;

11 (iv) the defendant ~~agrees to plead~~ PLEADS guilty; and <—

12 (v) the term of any prison sentence will not exceed one
13 year.

14 THE ARRESTING AUTHORITY SHALL TRANSMIT A COPY OF THE CHARGE <—
15 OF ANY VIOLATION OF SECTION 1037 OF "THE VEHICLE CODE," TO THE COUNTY
16 CLERK OF COURTS WITHIN FIVE DAYS AFTER THE PRELIMINARY ARRAIGNMENT.
17 WITHIN TEN DAYS AFTER THE DISPOSITION, THE DISTRICT JUSTICE SHALL
18 CERTIFY THE DISPOSITION TO THE COUNTY CLERK OF COURTS.

19 (4) All violations under the provisions of Title 18 (Crimes
20 and Offenses) of the act of November 25, 1970 (P.L.707, No.230),
21 known as the Pennsylvania Consolidated Statutes which are
22 classified as misdemeanors of the third degree, EXCEPT <—
23 VIOLATIONS UNDER SECTIONS 4303, 4321, 4323 AND 5103 OF TITLE 18,
24 provided the following criteria are met:

25 ~~(i) the violation is a first offense;~~ <—

26 ~~(ii)~~ (I) the misdemeanor is not the result of a reduced <—
27 charge;

28 ~~(iii)~~ (II) the defendant ~~agrees to waive a jury trial~~ PLEADS <—
29 GUILTY; and

30 ~~(iv)~~ (III) any personal injury and/or property damage is <—

1 ~~slight~~ LESS THAN \$100.

2 (5) Matters arising under the act of April 6, 1951 (P.L.69,
3 No.20), known as "The Landlord and Tenant Act of 1951," which
4 are stated therein to be within the jurisdiction of a justice of
5 the peace.

6 (6) As commissioners to preside at arraignments, fix and
7 accept bail, issue warrants and perform duties of a similar
8 nature including the jurisdiction of a committing magistrate in
9 all criminal proceedings.

10 (7) All matters jurisdiction of which is vested in district
11 justices by any statute.

12 Section 304. Venue and Process.--(a) Venue.--The venue of a
13 district justice concerning matters over which jurisdiction is
14 conferred by section 303 shall be as prescribed by general rule.

15 (b) Process.--The process of the district justice shall
16 extend beyond the limits of the magisterial district to the
17 extent prescribed by general rule.

18 Section 305. Lien of Judgment.--No judgment of a district
19 justice shall in any manner operate as a lien on real property
20 until a transcript of the record showing a final judgment of a
21 district justice has been filed in the manner prescribed by
22 general rules in the office of the clerk of the court of common
23 pleas of the county where the property is situated, or in the
24 office of the clerk of the branch of the court of common pleas
25 embracing such county. After such entry the judgment shall, from
26 the date of such entry, be a lien upon property to the same
27 extent that judgment recovered in the court of common pleas is a
28 lien. No such transcript shall be filed until after 30 days
29 after the entry of final judgment by the district justice. No
30 execution against real estate shall be issued by a district

1 justice.

2 ARTICLE IV

3 Costs

4 Section 401. Criminal Cases.--The costs to be charged by the
5 minor judiciary in every criminal case, except as hereinafter
6 provided, shall be as follows:

- | | | |
|----|---|------|
| 7 | (1) Summary conviction, except motor vehicle cases..... | \$11 |
| 8 | (2) Summary convictions, motor vehicle cases..... | \$10 |
| 9 | (3) Misdemeanor..... | \$13 |
| 10 | (4) Felony..... | \$17 |

11 Such costs shall include all charges including the costs of
12 postage and registered mail and the costs of giving a transcript
13 to the prosecutor or defendant, or both, if requested.

14 Section 402. Payment of Summary Conviction Costs by
15 County.--(a) Division of costs.--In every case of summary
16 conviction in which the evidence is not sufficient to convict
17 and the defendant is dismissed, the costs thereof shall be borne
18 by the county if the prosecutor is a police officer engaged as
19 such in the employ of this Commonwealth or of any of its
20 political subdivisions. In all other cases, the costs shall be
21 paid by the prosecutor or by the defendant if so permitted by
22 law.

23 (b) County to pay where default.--In every case of summary
24 conviction in which the defendant is convicted and sentenced to
25 jail in default of the payment of the fine and costs imposed,
26 the costs of prosecution shall be paid by the county.

27 (c) County of the second class.--In any case before a
28 salaried magistrate where costs are payable by a county of the
29 second class, the costs chargeable to the county shall be one-
30 half of the costs set forth in section 401.

1 Section 403. Civil Cases.--The costs to be charged by the
2 minor judiciary in every civil case, except as hereinafter
3 provided, shall be as follows:

- | | | |
|----|--|---------|
| 4 | (1) Assumpsit or trespass involving \$100 or less..... | \$ 7.50 |
| 5 | (2) Assumpsit or trespass involving more than | |
| 6 | \$100 but not more than \$300..... | \$10.00 |
| 7 | (3) Assumpsit or trespass involving more than | |
| 8 | \$300 but not more than \$500..... | \$12.50 |
| 9 | (4) Assumpsit or trespass involving more than \$500... | \$15.00 |
| 10 | (5) Landlord and tenant proceeding..... | \$15.00 |
| 11 | (6) Order of execution..... | \$ 5.00 |

12 Such costs shall include all charges including, when called
13 for, the costs relating to depositions and interrogatories and
14 the costs of postage and registered mail, except the costs of a
15 transcript of every proceeding on appeal or certiorari
16 (including affidavit, bail and certificate), which shall be
17 \$2.50 per transcript.

18 Section 404. Unclassified Costs or Charges.--The costs to be
19 charged by the minor judiciary in the following instances not
20 readily classifiable shall be as follows:

- | | | |
|----|--|--------|
| 21 | (1) Order for relief or removal of pauper..... | \$3.00 |
| 22 | (2) Order to seize goods for maintenance of | |
| 23 | wife or children..... | \$3.00 |
| 24 | (3) Entering transcript of judgment from another | |
| 25 | member of the minor judiciary..... | \$3.00 |
| 26 | (4) Certificate to obtain land warrant..... | \$3.00 |
| 27 | (5) Marrying each couple, making record thereof, | |
| 28 | and certificate to the parties..... | \$5.00 |
| 29 | (6) Swearing and affirming county, township, or | |
| 30 | other public officer, each officer..... | \$3.00 |

1 (7) Probating accounts..... \$3.00
2 (8) Issuing a search warrant..... \$3.00
3 Section 405. Federal Cases.--The costs to be charged by the
4 minor judiciary for services under the laws of the United States
5 shall be as follows:
6 (1) For certificate of protection..... \$2.00
7 (2) For certificate of lost protection..... \$2.00
8 (3) Warrant..... \$2.00
9 (4) Commitment..... \$2.00
10 (5) Summons for seamen in admiralty case..... \$2.00
11 hearing thereon..... \$2.00
12 (6) For certificate to clerk of the district court
13 to issue admiralty process..... \$2.00
14 (7) For affidavit of claims and copies thereof..... \$2.00
15 (8) Affidavit of defense..... \$2.00

16 ARTICLE V

17 Education

18 Section 501. Minor Judiciary Education Board; Department of
19 ~~Public Instruction~~ EDUCATION.--There shall be appointed by the
20 Governor with the consent of two-thirds of the members elected
21 to the Senate an administrative board composed of seven members
22 to be known as the "Minor Judiciary Education Board." Three of
23 the members of the board shall be members of the bar of the
24 Pennsylvania Supreme Court, three of the members shall be
25 district justices or judges of the Traffic Court of the City of
26 Philadelphia, and one member shall be a lay citizen. Three
27 members shall be appointed for terms of five years, three
28 members shall be appointed for terms of four years, and one
29 member shall be appointed for a term of three years, and until
30 their successors have been appointed and qualified. Thereafter

<—

1 each appointment shall be for a term of five years and until a
2 successor has been appointed and qualified. Four members of the
3 board shall constitute a quorum; and, no action of the board
4 shall be valid unless it shall have the concurrence of at least
5 four members. Each member shall be paid \$50 for each day or part
6 thereof upon which he attends a board meeting, or performs any
7 duty assigned to him by the chairman; and, he shall be
8 reimbursed for reasonable traveling or other expenses incurred
9 incident to such attendance and to such assigned duty. The board
10 shall organize by electing a chairman. The board shall prescribe
11 and approve the subject matter and the examination for the
12 course of instruction and training required by the Constitution
13 of the Commonwealth of Pennsylvania and this act. The department
14 shall serve as the administrative officers of the board and in
15 such capacity shall, subject to the direction of the board,
16 administer the course of instruction and training and conduct
17 the examination.

18 Section 502. Course of Instruction.--District justices shall
19 complete a course of training and instruction in the duties of
20 their offices as required by the Constitution of the
21 Commonwealth of Pennsylvania and successfully pass an
22 examination prior to filing a nominating petition for a
23 candidacy in a primary election for the office of district
24 justice, which course of training and instruction shall not
25 exceed four weeks in duration and shall consist of a minimum of
26 40 hours of class instruction in civil and criminal law
27 including evidence, procedure, summary proceeding, and laws
28 relating to motor vehicles. ~~in the case of all said officials in~~ <—
29 ~~it. Where it is economically unfeasible to conduct a class, the~~
30 ~~department shall provide equivalent instruction by~~

1 ~~correspondence, such training and instruction to be prescribed~~
2 ~~by the board.~~ The department shall make the course of
3 instruction available at such times as determined by it and the
4 board, so as to insure that any district justice, to be elected
5 or appointed may qualify to assume office as soon as possible.
6 By regulation the board shall direct the department to conduct
7 the course at such time, at such places and in such manner as it
8 shall prescribe.

9 In addition to those required by the Constitution of the
10 Commonwealth of Pennsylvania and this act to complete the course
11 of training and instruction and successfully pass an examination
12 prior to filing a nominating petition for a candidacy in a
13 primary election for the office of district justice, any
14 interested person may apply to the department to be enrolled in
15 the course of instruction and take the examination, subject to
16 such rules and regulations as the department with the approval
17 of the board may determine. Any such interested person who
18 successfully completes the course and passes the examination
19 shall secure an appropriate certificate from the department and
20 file same as set forth in section 505.

21 Section 503. Costs.--The course of training and instruction
22 required by the Constitution of the Commonwealth of Pennsylvania
23 and this act shall be provided at the expense of the
24 Commonwealth. ~~Any person elected or appointed to the office of~~ <—
25 ~~district justice, justice of the peace or judge who successfully~~
26 ~~completed said course shall receive the sum of \$10 for each day~~
27 ~~of actual attendance at class instruction to defray his~~
28 ~~expenses, together with such mileage expenses as determined by~~
29 ~~the department.~~ Until such person has successfully completed the
30 course of training and instruction and passed the examination,

1 he shall not file any nominating petition for the office of
2 district justice anywhere in the Commonwealth.

3 Section 504.--Rules and Regulations.--The department shall,
4 with the approval of the board, have the power to promulgate
5 such rules and regulations as are necessary to carry out its
6 duties under this act.

7 Section 505. Completion of Course.--Upon the successful
8 completion of the course of training and instruction and
9 examination, the department shall issue a certificate in the
10 form prescribed by the board, certifying that such person is
11 qualified to perform his duties as required by the Constitution
12 of the Commonwealth of Pennsylvania. Such certificate shall be
13 filed in the office of the prothonotary of the county in which
14 the district justice resides. In the event that a AN APPOINTED <—
15 district justice as required by the Constitution of the
16 Commonwealth of Pennsylvania and this act to successfully
17 complete such course, has failed to obtain and file such
18 certificate in the proper prothonotary's office within nine
19 months after his ~~election or~~ appointment, said office of <—
20 district justice or judge shall be vacant, such vacancy to be
21 filled as otherwise provided by law, and in the case of justice
22 of the peace, said office shall be abolished.

23 Section 506. Continuing Education Requirement.--Every
24 district justice shall complete a continuing education program
25 each year equivalent to not less than ~~eight~~ 32 hours per year in <—
26 such courses or programs as are approved by the board.

27 ARTICLE VI

28 District Justice Administrator

29 Section 601. Office of District Justice Administrator.--
30 There is hereby established within the Administrative Office of

1 Pennsylvania Courts a branch office to be known as the Office of
2 District Justice Administrator to be supervised by such person
3 as the Supreme Court shall appoint to act as administrator.

4 Section 602. Powers and Duties.--The district justice
5 administrator shall have the following powers and duties:

6 (1) to be responsible for the prompt and proper disposition
7 of the business of all district justices;

8 (2) to perform all functions now carried out by the court
9 administrator;

10 (3) to require and receive reports from the various judicial
11 districts relating to the utilization of the district justices
12 in the judicial districts;

13 (4) to transfer the various district justices to other
14 judicial districts on a temporary basis in an effort to remove
15 any backlog of cases;

16 (5) to prescribe forms to be used by district justices;

17 (6) to make such rules and regulations as are necessary to
18 the efficient functioning of the office of District Justice
19 Administrator; and

20 (7) to employ such individuals as approved by the Supreme
21 Court to implement the provisions of this act.

22 ARTICLE VII

23 Miscellaneous Provisions

24 Section 701. Repealers.--(a) Specific repealers.--

25 (1) The act of January 7, 1952 (1951 P.L.1841, No.492),
26 known as the "Minor Judiciary Fee Bill."

27 (2) The act of December 2, 1968 (P.L.1131, No.352), known as
28 the "Magisterial Districts Act," in so far as it relates to
29 district justices and magisterial districts outside of cities
30 and counties of the first class.

1 (3) The act of February 24, 1970 (P.L.53, No.22), known as
2 the "Minor Judiciary Education Act," in so far as it relates to
3 district justices.

4 (b) General repealer.--Any act or part of an act
5 inconsistent with the provisions of this act is repealed to the
6 extent of the inconsistency.

7 Section 702. Effective Date.--This act shall take effect
8 ~~January~~ JULY 1, 1976.

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