
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **413** Session of
1961

MESSRS. SARRAF, DEVLIN, RIPP, STAJSEY, MCGINNIS AND
FLEMING, IN PLACE, MARCH 20, 1961.

AS AMENDED ON THIRD READING, AUGUST 7, 1961.

AN ACT

Amending the act of August 24 1951 (P L 1304) entitled as amended

“An act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county departments of health in all counties exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities authorizing State grants to counties which establish departments of health and to certain municipi-

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

palties if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of State grants and repealing an act which confers health powers upon counties of the first class" changing the number of signatures required on a petition to dissolve or withdraw from certain departments of health

CHANGING THE TIME FOR CIRCULATING PETITIONS
IN CERTAIN CASES and changing the form of the question
to be submitted to electors

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

- 1 Section 1 Section 5.1 act of August 24 1951 (P L 1304) known as
- 2 the "Local Health Administration Law" added December 16 1959 (P L
- 3 1847) is amended to read
- 4 Section 5.1 Dissolution of and Withdrawal From County Depart-
- 5 ments of Health

1 (a) When a single-county department of health is created it may
2 be dissolved by a referendum conducted in accordance with the pro-
3 cedure set forth in subsection (c) hereof

4 (b) When a joint-county department of health is created any county
5 being a member thereof may withdraw from the department by con-
6 ducting a referendum conducted in accordance with the procedure set
7 forth in subsection (c) hereof

8 (c) A petition requesting the dissolution or withdrawal shall be
9 signed by qualified electors of the county equal in number to at least
10 [one per centum (1%)] ten per centum (10%) of the highest total vote
11 cast for any county office at the last municipal election The petition
12 shall be in the form required for nomination petitions by the election
13 laws of the Commonwealth except that the said petition shall be cir-
14 culated no earlier than five years following the date of establishment
15 of said county health department or joint-county health department
16 NOR EARLIER THAN FIVE YEARS FOLLOWING ANOTHER
17 REFERENDUM ON THE SAME QUESTION and shall be circulated
18 for not more than six (6) months prior to the last filing day which shall
19 be ninety (90) days before the general or municipal election at which
20 it is desired to submit the question The petition shall be filed with the

1 county board of elections and the validity of the petition and any ob-
2 jections thereto shall be determined in accordance with the election laws
3 of the Commonwealth

4 After the validity of the petitions in all the counties affected has
5 been determined the county commissioners shall cause the question to be
6 submitted at the next general or municipal election whichever is sooner
7 so long as such election is to occur at least thirty (30) days after the
8 validity has been determined The question shall be submitted on the
9 ballot or on voting machines in the manner provided by the election
10 laws of the Commonwealth and shall be in substantially the following
11 forms

12 (1) For the continuance or dissolution of a single-county department
13 of health

14 Shall County [dissolve] continue

15 its county department of health?

16 Yes

17 No

18 (2) For the continuance in or withdrawal from a joint-county de-
19 partment of health

20 Shall County [withdraw]

1 [from] continue to be a member of the joint-county de-
2 partment of health?

3 Yes

4 No

5 The election on this question shall be governed in all respects by
6 the election laws of the Commonwealth insofar as they are applicable
7 For the dissolution of a single-county department of health or with-
8 drawal from a joint-county department of health a majority of all votes
9 cast in each county upon the question must be [in favor thereof]
10 against the continuance of such department or against the continuance
11 of membership in such department as the case may be

12 (d) When in the case of a single-county department the voters
13 elect to dissolve the department or in the case of a joint-county depart-
14 ment the voters elect to withdraw no new department of health may
15 be created by resolution nor may the commissioners resolve to join
16 with another county or other counties to create a joint department within
17 five years of such dissolution

18 Section 2 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1901.

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Governor