

an injunction or other process against any person to restrain or prevent his practicing any profession in a public or private capacity or engaging in any trade or occupation without a license whenever a license to engage in such activity is required by law and such licenses are issued by the Commissioner of Professional and Occupational Affairs.

Section 2. Any such action shall be instituted in the court of common pleas in any county where the alleged unauthorized practice was committed. Such court may issue a temporary restraining order or injunction under this act, but shall determine any such action on its merits as soon as convenient whether in term time or in vacation. Appeals from any final decision of such court to the Superior or Supreme Court shall be as in similar cases.

Institution of suit in county court of unauthorized practice, orders and appeals.

Section 3. No bond shall be required of, and no costs shall be taxed against, the Commissioner of Professional and Occupational Affairs or any of the administrative boards, commissions or officers within the Department of State or otherwise under his supervision.

Bond not required.

Section 4. The provisions of this act shall be construed as supplementary to all other acts dealing with the same subject matter. No action brought under the provisions of this act shall prevent the prosecution or institution of any civil or criminal action otherwise provided by law for violation of any licensing act or departmental rule or regulation promulgated thereunder.

Construction.

APPROVED—The 8th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 331

AN ACT

Amending the act of May 31, 1945 (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," making a technical change.

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

Section 1. Section 18.3, act of May 31, 1945 (P. L. 1198), known as the "Bituminous Coal Open Pit Mining Conservation Act," added July 16, 1963 (Act No. 133), is reenacted and amended to read:

Section 18.3. Any citizen of this Commonwealth having knowledge that any of the provisions of this act

Bituminous Coal Open Pit Mining Conservation Act.

Section 18.3, act of May 31, 1945, P. L. 1198, added July 16, 1963, Act No. 133, reenacted and amended.

are wilfully and deliberately not being enforced by any public officer or employe whose duty it is to enforce any of the provisions of this act, shall bring such failure to enforce the law to the attention of such public officer or employe. To provide against unreasonable and irresponsible demands being made, all such demands to enforce the law must be in writing, under oath, with facts set forth specifically stating the nature of the failure to enforce the law. The stating of false facts and charges in such affidavit shall constitute perjury and shall subject the affiant to penalties prescribed under the law for perjury. If such public officer or employe neglects or refuses for an unreasonable time after demand to enforce such provision, *any such citizen shall* have the right to bring an action of mandamus in the court of common pleas of the county in which the operation which relates to the alleged lack of enforcement is being conducted. The court, if satisfied that any provision of this act is not being enforced, may make an appropriate order compelling the public officer or employe, whose duty it is to enforce such provision, to perform his duties, and upon failure to do so such public officer or employe shall be held in contempt of court and shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Section 2. This act shall take effect January 1, 1964.

APPROVED—The 8th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 332

AN ACT

Amending the act of May 22, 1945 (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," changing the composition of the State board.

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

Section 1. Clause (1) of section 2, act of May 22, 1945 (P. L. 849), known as the "Vocational Rehabilitation Act of one thousand nine hundred forty-five," is amended to read:

Vocational
Rehabilitation
Act of 1945.

Clause (1),
section 2, act
of May 22,
1945, P. L. 849,
amended.