

treasurers in such districts; saving certain ordinances of council of certain cities and providing compensation for certain officers, and employes and imposing penalties," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector in administering and enforcing the provisions of the act.

School districts
of the first class.

Subsection (b)
of section 8, act
of June 20, 1947,
P. L. 745, as last
reenacted and
made permanent
by act of May 12,
1949, P. L. 1238,
amended.

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

Section 1. Subsection (b) of section 8 of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," as reenacted and made permanent by the act, approved the twelfth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1238), is hereby amended to read as follows:

Section 8. Powers and Duties of Collector.—

* * * * *

(b) The collector is hereby charged with the administration and enforcement of the provisions of this act, and is hereby empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this act, including provision for the re-examination and correction of returns, and payments alleged or found to be incorrect, or as to which an overpayment is claimed, or found to have occurred. Any person aggrieved by any decision of the collector shall have the right of appeal to the [court of common pleas as in other cases provided] *county court of Allegheny County.*

APPROVED—The 6th day of July, A. D. 1951.

JOHN S. FINE

No. 209

AN ACT

To further amend subsections (a) and (b) of section 9 of the act, approved the first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Rela-

tions Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Labor Relations Board.

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

Section 1. Subsections (a) and (b) of section 9 of the act, approved the first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for

"Pennsylvania Labor Relations Act."

Subsections (a) and (b) of section 9, act of June 1, 1937, P. L. 1168, as last amended by act of May 18, 1945, P. L. 656, further amended.

service of papers and process of the board; prescribing certain penalties," as last amended by the act, approved the eighteenth day of May, one thousand nine hundred forty-five (Pamphlet Laws 656), are hereby further amended to read as follows:

Section 9. Judicial Review.—(a) The board shall have power to petition the court of common pleas of any county wherein the unfair labor practice in question occurred, or wherein any person charged with the commission of any unfair labor practice resides or transacts business, *other than Allegheny County, and in Allegheny County, the county court of Allegheny County*, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the board. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, the order of the board. The parties before the court shall be the board and the person charged with the commission of any unfair labor practice. No objection that has not been urged before the board, its members or agents shall be considered by the court unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the board as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court, that such additional evidence is material, and that there were reasonable grounds for the failure to adduce such evidence at the hearing before the board, its members or agent, the court may order such additional evidence to be taken before the board, its members or agent, and to be made a part of the transcript. The board may modify its findings as to the facts or make new findings by reason of additional evidence so taken and filed, and it shall file such modified or new findings which, if supported by evidence, shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court of common pleas or of the county court of *Allegheny County, as the case may be* shall be exclusive *within the*

territorial limits of its jurisdiction, and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court on appeal by the board or any party in interest, irrespective of the nature of the decree or judgment or the amount involved. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court, and the record so certified shall contain all that was before the court of common pleas or of the county court of Allegheny County, as the case may be.

(b) Any person aggrieved by a final order of the board granting or denying, in whole or in part, the relief sought, or by an order certifying a collective bargaining agent of employes, may obtain a review of such order in the court of common pleas of any county where the unfair labor practice in question was alleged to have been engaged in, or wherein such person resides or transacts business, *other than Allegheny County, and in Allegheny County, in the county court of Allegheny County*, by filing in such court, within sixty days after the final order has issued by the board, a written petition praying that the order of the board be modified or set aside. A copy of such petition shall be forthwith served upon the board, and the board shall file in the court a transcript of the entire record in the proceeding certified by the board, including the pleadings and testimony and order of the board. Upon such filing, the court shall proceed in the same manner as in the case of an application by the board under subsection (a), and shall have the same exclusive jurisdiction to grant to the board such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside, in whole or in part, the order of the board, and the findings of the board as to the facts, if supported by substantial and legally credible evidence, shall in like manner be conclusive. The parties before the court shall be any person aggrieved by a final order of the board, as aforesaid, and the board. The jurisdiction of the court of common pleas *or of the county court of Allegheny County, as the case may be*, shall be exclusive *within the territorial limits of its jurisdiction*, and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court on appeal by the person aggrieved, or the board, irrespective of the nature of the decree or judgment or the amount involved. Such appeal shall be taken and prosecuted in the same manner and form, and with the same effect, as is provided in other cases of appeal to the Supreme Court, and the record

so certified shall contain all that was before the court of common pleas *or the county court of Allegheny County, as the case may be.*

APPROVED—The 6th day of July, A. D. 1951.

JOHN S. FINE

No. 210

AN ACT

To further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (Pamphlet Laws 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Practice of Dentistry."

"The Dental Law."

Section 2, act of May 1, 1933, P. L. 216, as last amended by act of April 20, 1949, P. L. 660, further amended.

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

Section 1. Section two of the act, approved the first day of May, one thousand nine hundred thirty-three (Pamphlet Laws 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," as last amended by the act, approved the twentieth day of April, one thousand nine hundred forty-nine (Pamphlet Laws 660), is hereby further amended to read as follows:

Section 2. Definitions.—A person engages in the "Practice of Dentistry," within the meaning of this act, who diagnoses, treats, operates on, or prescribes for any disease, pain or injury, or regulates any deformity or physical condition, of the human teeth, jaws, or overlying tissues, or who fits, constructs, and inserts any artificial appliance, plate, or denture for the human teeth or jaws, or who holds himself or herself out as being able or legally authorized to do so. The term "Practice of Dentistry" does not include:

(a) The practice of any of the healing arts by duly licensed practitioners.

(b) The extracting of teeth or relieving pain by a licensed physician or surgeon in emergencies, or the making of applications for such purposes.

(c) The taking of X-ray pictures of the human teeth, jaws or adjacent structures.