

Health authorities empowered to order gypsies out of municipality upon finding that they constitute a nuisance or a menace to the public health.

Failure or refusal to comply with such order declared unlawful.

Penalty.

Act effective immediately.

Section 1. Be it enacted, &c., That whenever a roving band, or band of nomads, commonly called gypsies, shall be located within any municipality, or shall carry on its business or practice its craft within such municipality, and the board of health of the municipality or the county department of health or joint-county department of health shall be of the opinion, and so find, that such band is a nuisance or a menace to the public health, [it] the board of health of the municipality or the county department of health or joint-county department of health shall have power, by written notice, to order such roving band, or band of nomads, to leave said municipality within the time specified in said notice. It shall be unlawful for any such roving band, or band of nomads, or any member thereof, to fail or to refuse to comply with any such order of a board of health or county department of health or joint-county department of health. Any person failing to comply with any such order shall, upon conviction thereof in a summary proceeding, before any magistrate, alderman or justice of the peace, be sentenced, for each offense, to pay a fine of fifty dollars, and, in default of the payment of such fine and costs, be sentenced to undergo imprisonment in the county jail for a period of thirty days.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 24th day of August, A. D. 1951.

JOHN S. FINE

No. 322

AN ACT

To further amend subsection (a) of section two hundred seven and subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all

other assistants and employes of certain departments, boards and commissions shall be determined," by prescribing the qualifications for the Secretary of Health, and by reconstituting the Advisory Health Board and further prescribing its powers and duties.

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

Section 1. Subsection (a) of section two hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as last amended by the act, approved the eighteenth day of February, one thousand nine hundred forty-nine (Pamphlet Laws 16), is hereby further amended to read as follows:

Section 207. Appointment. — The Governor shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate, appoint:

(a) The Secretary of the Commonwealth, the Attorney General, the Superintendent of Public Instruction, the Adjutant General, the Insurance Commissioner, the Secretary of Banking, the Secretary of Agriculture, the Secretary of Forests and Waters, the Secretary of Mines, the Secretary of Highways, the Secretary of Health, the Commissioner of the Pennsylvania State Police, the Secretary of Labor and Industry, the Secretary of Welfare, the Secretary of Property and Supplies, the Secretary of Revenue, the Secretary of Public Assistance, the Secretary of Commerce, and the members of all independent administrative boards and commissions.

The Adjutant General may have the rank of Major General of the Adjutant General's Department in the

"The Administrative Code of 1929."

Subsection (a) of section 207, act of April 9, 1929, P. L. 177, as last amended by act of February 18, 1949, P. L. 16, further amended.

Pennsylvania National Guard, or Pennsylvania Guard, or the Governor may designate the ranking line officer of the Pennsylvania National Guard, or Pennsylvania Guard, or an officer of the Regular Army, United States Navy, United States Coast Guard, or United States Marine Corps, as Adjutant General: Provided, That should the ranking line officer be also appointed Adjutant General, he shall receive only the salary provided by law for the Adjutant General: And provided further, That should the ranking line officer be called into the service of the United States, a Deputy Adjutant General, to be designated by the Governor, shall act as Adjutant General during his absence. No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard, Pennsylvania Guard, or equivalent length of service in the Regular Army of the United States, United States Navy, United States Coast Guard, or United States Marine Corps, or Officers Reserve Corps of the United States Army, United States Navy Reserve, United States Coast Guard Reserve, or United States Marine Corps Reserve, which service may be cumulative, that is, service in any one or more of the foregoing services may be added together.

The Secretary of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed.

Subsection (f) of section 448, said act, as last amended by act of May 22, 1947, P. L. 269, and June 25, 1947, P. L. 935, further amended.

Section 2. Subsection (f) of section four hundred forty-eight of said act, as last amended by the acts, approved the twenty-second day of May, one thousand nine hundred forty-seven (Pamphlet Laws 269), and the twenty-fifth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 935, Act Number 390), is hereby further amended to read as follows:

Section 448. Advisory Boards and Commissions.—The advisory boards and commissions, within the several administrative departments, shall be constituted as follows:

* * * * *

(f) The Advisory Health Board shall consist of the Secretary of Health, or in his place his duly authorized deputy, and [seven] *ten* members, [a majority] *five* of whom shall be [physicians, graduates of legally constituted medical colleges, and of at least ten years' experience in the practice of their profession] *doctors of medicine licensed to practice medicine in Pennsylvania*, one [of whom shall be] a dentist [and] *licensed to practice dentistry in Pennsylvania*, one [of whom shall be] a pharmacist [, graduates of legally constituted dental and pharmacy colleges respectively, and of at least ten years' experience in the practice of their profession,] *regis-*

tered with the State Board of Pharmacy, and one [of whom shall be a civil] an engineer registered with the State Registration Board for Professional Engineers who is experienced in sanitary engineering. The Secretary of Health, or in his place his duly authorized deputy, shall be chairman of the board.

The term of office of each appointed member of the board shall be four years, measured from the third Tuesday of January of the year in which he takes office, or until his successor has been appointed and has qualified; except that in the initial appointment of the members of the board, one member shall be appointed for a term of one year, three members for a term of two years, three members for a term of three years, and three members for a term of four years.

[Four] Six members of the board, together with the Secretary of Health, or in his place his duly authorized deputy, shall constitute a quorum.

Each appointed member of the board shall receive actual traveling expenses and per diem compensation at the rate of \$25.00 a day for time actually devoted to the business of the board.

* * * * *

Section 3. Section two thousand one hundred eleven of the said act is hereby amended to read as follows:

Section 2111. *Advisory Health Board.—The Advisory Health Board shall have the power, and its duty shall be:

(a) To advise the Secretary of Health on such matters as he may bring before it;

(b) To make such reasonable rules and regulations, not contrary to law, as may be deemed by the board necessary for the prevention of disease, and for the protection of the lives and health of the people of the Commonwealth, and for the proper performance of the work of the Department of Health, and such rules and regulations, when made by the board, shall become the rules and regulations of the department;

(c) To adopt rules and regulations for personnel administration based upon merit and fitness, including standards of recruitment, selection, tenure, removal, and working conditions, and to prescribe qualifications for professional, technical and executive personnel appointed or employed by the State Department of Health and by the departments or boards of health of counties or other political subdivisions. No restrictions shall be imposed relating to race, religion, residence, or political affiliation;

(d) To prescribe minimum health activities and minimum standards of performance of health services for counties or other political subdivisions.

Section 2111,
said act,
amended.

* "Advisory Health Board" omitted in original.

Inconsistent acts repealed.

Section 4. All other acts and parts of acts inconsistent herewith are hereby repealed.

Act effective immediately.

Section 5. This act shall become effective immediately upon final enactment.

APPROVED—The 24th day of August, A. D. 1951.

JOHN S. FINE

No. 323

AN ACT

To amend sections two, four, five and six of the act, approved the second day of July, one thousand eight hundred and ninety-five (Pamphlet Laws 428), entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth," by adding county departments of health and joint-county departments of health to the health authorities empowered by the act to render certificates, make inspections, and adopt rules and regulations.

Lodging houses.

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

Sections 2, 4, 5 and 6, act of July 2, 1895, P. L. 428, amended.

Section 1. Sections two, four, five and six of the act, approved the second day of July, one thousand eight hundred and ninety-five (Pamphlet Laws 428), entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth," are hereby amended to read as follows:

Licensing of public lodging houses.

Section 2. The mayor of any city in this Commonwealth may license persons to keep public lodging-houses in said city, upon payment of a fee of two dollars, and upon compliance with and subject to the following provisions and requirements.

License fee.

Provisions of and requirements for license.

Expiration date, etc.

The said license shall expire on the thirty-first day of December, in the year in which it is issued. It shall specify particularly the place licensed, and it shall not protect the licensee in carrying on business in any other place.

Applicant to be person of good moral character.

No such license shall be granted to a person by the mayor who is not of good moral character, and no license shall be issued until the building inspectors of said city and the fire marshal, or, if such officials do not exist, such other official or person as the mayor shall name to examine into the safety of the building, license for which is applied for, shall certify that the building is safe for the load it will probably have to carry, is provided with all the fire-escapes required by law, and with such additional means of escape, in case of fire, as the construction of the building, its surroundings and the use to which it is to be put, required to be adopted for the safety of the lodgers.

License not to be issued until building is certified to be safe.