

No. 676

## AN ACT

Amending the act of August 24, 1951 (P. L. 1304), entitled "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 except counties of the first-class; 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 municipalities 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," extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class, and providing for the dissolution of and withdrawal from certain departments of health.

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

Local Health  
Administration  
Law.

Section 1. The title and subsection (a) of section 3, act of August 24, 1951 (P. L. 1304), known as the "Local Health Administration Law," are amended to read:

Title and sub-  
section (a),  
section 3, act of  
August 24, 1951,  
P. L. 1304,  
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 [except counties of the first class]; 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 municipalities 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

New title.

of State grants; and repealing an act which confers health powers upon counties of the first class.

Section 3. Definitions.—The following terms, whenever used in this act, have the meanings indicated in this section, except where the context indicates a clearly different meaning:

(a) "County." Any county of the first, second, third, fourth, fifth, sixth, seventh and eighth class.

\* \* \* \* \*

Section 2. The act is amended by adding, after section 5, a new section to read:

*Section 5.1. Dissolution of and Withdrawal From County Departments of Health.—*

(a) *When a single-county department of health is created it may be dissolved by a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.*

(b) *When a joint-county department of health is created, any county being a member thereof may withdraw from the department by conducting a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.*

(c) *A petition requesting the dissolution or withdrawal shall be signed by qualified electors of the county equal in number to at least one per centum (1%) of the highest total vote cast for any county office at the last municipal election. The petition shall be in the form required for nomination petitions by the election laws of the Commonwealth, except that the said petition shall be circulated no earlier \*than five years following the date of establishment of said county health department or joint-county health department and shall be circulated for not more than six (6) months prior to the last filing day which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question. The petition shall be filed with the county board of elections and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth.*

*After the validity of the petitions in all the counties affected has been determined, the county commissioners shall cause the question to be submitted at the next general or municipal election, whichever is sooner, so long as such election is to occur at least thirty (30) days after the validity has been determined. The question shall be submitted on the ballot or on voting machines*

Act of August 24, 1951, P. L. 1304, amended by adding a new section 5.1.

\* "that" in original.

*in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms:*

*(1) For the dissolution of a single-county department of health—*

*Shall . . . . . County dissolve its county department of health?*

*Yes . . . . .*

*No . . . . .*

*(2) For the withdrawal from a joint-county department of health—*

*Shall . . . . . County withdraw from the joint-county department of health?*

*Yes . . . . .*

*No . . . . .*

*The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable. For the dissolution of a single-county department of health or withdrawal from a joint-county department of health, a majority of all votes cast in each county upon the question must be in favor thereof.*

*(d) When in the case of a single-county department the voters elect to dissolve the department, or in the case of a joint-county department the voters elect to withdraw, no new department of health may be created by resolution nor may the commissioners resolve to join with another county or other counties to create a joint department within five years of such dissolution.*

Section 3. Section 15 of the act is amended by adding, after subsection (d), a new subsection to read:

Section 15 of the act, amended by adding a new subsection (e).

Section 15. Procedure by Which Exempt Municipalities May Become Subject to Jurisdiction of County Department of Health; Eligibility for State Grants.—

\* \* \* \* \*

*(e) Any municipality located in a county of the first class having a department or board of health may receive State grants as provided in section 25 of this act.*

APPROVED—The 16th day of December, A. D. 1959.

DAVID L. LAWRENCE