

*and miscellaneous indexes against the defendants as directed by local rules of court and shall certify it as his pends in any certificate of search which he is required to make by virtue of his office.*

Act effective  
immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 18th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 624

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 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," 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.

Local Health  
Administration  
Law.

Section 5.1, act  
of August 24,  
1951, P. L. 1304,  
added December  
16, 1959, P. L.  
1847, amended.

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

Section 1. Section 5.1, act of August 24, 1951 (P. L. 1304), known as the "Local Health Administration Law," added December 16, 1959 (P. L. 1847), is amended 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%)] *ten per centum (10%)* 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 *nor earlier than five years following another referendum on the same question*, 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 in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms:

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

Shall .....County [dissolve]  
*continue* its county department of health?  
 Yes .....  
 No .....

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

Shall ..... County [withdraw  
 from] *continue to be a member of* 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] *against the continuance of such department or against the continuance of membership in such department, as the case may be.*

(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.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 19th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 625

### AN ACT

Amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," authorizing other than separate confinement in county penal institutions and requiring the approval of plans by the Department of Justice in certain cases.

The County Code.

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

Section 2328, act of August 9, 1955, P. L. 323, amended.

Section 1. Section 2328, act of August 9, 1955 (P. L. 323), known as "The County Code," is amended to read:

Section 2328. Special Provisions Relating to County Jails, Prisons, Workhouses and Detention Houses.—Except as may be otherwise provided by law for each county jail, prison, workhouse or detention house, the county commissioners shall appoint a superintendent and a matron and such other officers, as they may deem necessary, whose duties shall be prescribed by the regulations for such institutions and whose salaries shall be fixed by the salary board.

Every such institution [shall hereafter be so constructed that every person committed thereto, whether upon conviction or otherwise, may be confined separate and apart from every other person committed thereto, due regard being had in the plan of construction to the health of the persons to be so confined.] *which shall be hereafter erected or remodeled shall be so constructed as to reflect the declared objectives and policies of the county with respect to the number, type, length of stay, and program requirements of prisoners to be housed therein. Plans for the construction or remodeling of*