

No. 183

AN ACT

To amend section one hundred and thirty-five of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," as amended, by limiting the salary of the solicitor to the controller in counties of the fifth class.

The General
County Law.

Solicitor to
controller.

Section 135, act
of May 2, 1931
(P. L. 1278), as
amended by act
of June 9, 1931
(P. L. 401), fur-
ther amended.

Section 1. Be it enacted, &c., That section one hundred and thirty-five of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," which was amended by the act approved the ninth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, four hundred one), is hereby further amended to read as follows:

Section 135. Solicitor to the Controller.—The county controller may designate and appoint one person learned in the law to act as his solicitor. Such solicitor shall advise upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county controller. He shall hold office at the pleasure of the controller. He shall receive such salary as may be fixed by the salary board, *but in counties of the fifth class such salary shall not exceed the sum of nine hundred dollars (\$900.00) per annum.*

APPROVED—The 23d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 184

AN ACT

To amend section one hundred thirty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the procedure to create the office of county controller, including procedures where decrees have heretofore been entered.

The General
County Law.

Section 136, act
of May 2, 1929
(P. L. 1278),
amended.

Section 1. Be it enacted, &c., That section one hundred thirty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes;

and revising, amending and consolidating the laws relating thereto," is hereby amended to read as follows:

Section 136. Establishment of Office of Controller by Decree of Court in Counties of the Sixth, Seventh and Eighth Classes.—The office of controller may be established, in any county of the sixth, seventh or eighth class, by petition to the court of common pleas of such county of twenty-five per centum of the number of electors who voted at the general or municipal election, as the case may be, next preceding the date of such petition. The petition shall include the signatures of a majority of the board of county commissioners, the clerk of the courts, coroner, county treasurer, prothonotary, recorder of deeds and register of wills of the county. Upon presentation of such petition, the court, *after consideration of the petition and hearing, if any requested by taxpayers, shall, if it deems the same to be for the best interests of the county, direct that, at the next municipal election and quadrennially thereafter, the electors of such county shall choose a citizen of the county for the office of controller in place of the county auditors.* Such person shall serve for a term of four years, or until his successor is qualified, if he shall so long behave himself well. Upon the filing of such decree, the prothonotary shall transmit certified copies thereof to the county commissioners, the sheriff, and to the Governor. Upon receipt thereof, the sheriff shall give at least thirty days public notice by proclamation, in addition to any other notice required by law. Such proclamation shall be printed three times in every newspaper of general circulation in the county, and shall contain a notice that a citizen of said county is to be elected at the next ensuing municipal election for the office of county controller. Such controller shall be nominated and elected in compliance with the provisions of the general election laws.

Section 2. In any county where a petition has heretofore been presented to court for the creation of the office of county-controller and a decree has been entered by the court directing an election to be held, but where no appointment of a controller has been made by the Governor and no election held prior to the effective date of this act, the court may, upon petition of any taxpayer, revoke its decree and proceed to a reconsideration of said petition and grant a hearing in accordance with this act, and, if the court deems the creation of the office to the best interests of the county, it shall decree an election as in this act provided, otherwise it shall dismiss the petition.

Reconsideration of petition by court if no appointment made or election held.

Section 3. This act shall become effective immediately upon final enactment. When effective.

APPROVED—The 23d day of May, A. D. 1933.

GIFFORD PINCHOT