

No. 275  
AN ACT

## HB 1548

Amending the act of January 25, 1966 (P. L. 1580), entitled "An act providing for post conviction hearings and establishing the procedure therefor," changing provisions relating to the appointment of counsel.

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

Section 1. Section 12, act of January 25, 1966 (P. L. 1580), known as the "Post Conviction Hearing Act," is amended to read:

Section 12. Pauper Petitions.—If the petition alleges that the petitioner is unable to pay the costs of the proceeding, the court may order that the petitioner be permitted to proceed as a poor person and order a transcript of the proceedings delivered to the petitioner. If the petitioner is without counsel and alleges that he is without means to procure counsel, he shall state whether or not he wishes counsel to be appointed to represent him. If appointment of counsel is so requested and the court is of the opinion that a hearing on the petition is required, the court shall appoint counsel if satisfied that the petitioner has no means to procure counsel. The appointment of counsel shall not be required if the petitioner's claim is patently frivolous and without trace of support in the record as provided by section 9 of the act.

APPROVED—The 31st day of July, A. D. 1968.

RAYMOND P. SHAFER.

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No. 276  
AN ACT

## HB 1554

Amending the act of June 24, 1931 (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for the compensation of township auditors in townships of the first class.

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

Section 1. Section 1001, act of June 24, 1931 (P. L. 1206), known as "The First Class Township Code," reenacted and amended May 27, 1949 (P. L. 1955) and amended September 29, 1951 (P. L. 1621) is amended to read:

Section 1001. Meetings; General Duties; Compensation.—The auditors of townships shall meet annually, on the day following the day which is fixed by this act for the organization of the township commissioners, and shall audit, settle, and adjust the accounts of the township commissioners, township treasurer, tax collector, secretary, and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding fiscal year. The auditors shall make an audit of the dockets, transcripts, and other official records of the offices of the justice of the peace of the township to determine the amounts of fines and costs paid or due to the township. All justices of the peace shall open and make available to the auditors their dockets, transcripts, records, and all other official books or papers for the purpose of the audit: Provided, That in any case where a justice of the peace charges a fine contrary to ordinances, or to any act which makes such fine payable to the township, the said auditors have the power to surcharge such justices of the peace in any amount or amounts undercharged as set forth in said ordinances or act. Two auditors shall constitute a quorum. Each auditor shall receive [ten dollars (\$10)] twenty dollars (\$20) per diem for each day necessarily employed in the duties of his office, to be paid out of funds of the township. A day shall consist of not less than five hours in the aggregate. In completing their audit, the auditors shall not be employed more than the following number of days: In townships having a population of less than three thousand, twenty days; in townships having a population of three thousand and more but less than ten thousand, thirty days; and in townships having a population of ten thousand and more, forty days.

Section 2. This act shall take effect immediately.

APPROVED—The 31st day of July, A. D. 1968.

RAYMOND P. SHAFER.

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No. 277

AN ACT

HB 1671

Amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," terminating the exception of companies engaged in the distilling of liquors, further defining "processing" to include the blending, rectification