

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 103 Session of  
1997

INTRODUCED BY NAILOR, MASLAND, KREBS, PLATTS, TULLI, LYNCH,  
FLICK, CLARK, ARMSTRONG, ALLEN, E. Z. TAYLOR, SCHRODER,  
FICHTER, CORRIGAN, STEIL, ARGALL, EGOLF, WAUGH AND MILLER,  
JANUARY 28, 1997

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 28, 1997

## A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for legislative officers  
3 and qualification of members of the General Assembly.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of  
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 9 of Article II be amended to read:

9 § 9. Election of officers; judge of election and qualifications  
10 of members.

11 (a) The Senate shall, at the beginning and close of each  
12 regular session and at such other times as may be necessary,  
13 elect one of its members President pro tempore, who shall  
14 perform the duties of the Lieutenant Governor, in any case of  
15 absence or disability of that officer, and whenever the said  
16 office of Lieutenant Governor shall be vacant. The House of  
17 Representatives shall elect one of its members as Speaker. Each

1 House shall choose its other officers, and shall judge of the  
2 election and qualifications of its members.

3 (b) It shall be a conflict of interest for any person to  
4 cast a vote in the Senate or the House of Representatives, with  
5 respect to any challenge, other than a frivolous challenge, to  
6 the election or qualifications, as prescribed in this article,  
7 regarding that person's right to serve as a member of either  
8 House. Notwithstanding any other provision in the Constitution  
9 to the contrary, any vote cast in violation of this section  
10 shall be void and subject to judicial review and shall be  
11 subject to the penalties prescribed by law for conflicts of  
12 interest.

13 Section 2. (a) Upon the first passage by the General  
14 Assembly of this proposed constitutional amendment, the  
15 Secretary of the Commonwealth shall proceed immediately to  
16 comply with the advertising requirements of section 1 of Article  
17 XI of the Constitution of Pennsylvania and shall transmit the  
18 required advertisements to two newspapers in every county in  
19 which such newspapers are published in sufficient time after  
20 passage of this proposed constitutional amendment.

21 (b) Upon the second passage by the General Assembly of this  
22 proposed constitutional amendment, the Secretary of the  
23 Commonwealth shall proceed immediately to comply with the  
24 advertising requirements of section 1 of Article XI of the  
25 Constitution of Pennsylvania and shall transmit the required  
26 advertisements to two newspapers in every county in which such  
27 newspapers are published in sufficient time after passage of  
28 this proposed constitutional amendment. The Secretary of the  
29 Commonwealth shall submit this proposed constitutional amendment  
30 to the qualified electors of this Commonwealth at the first

1 primary, general or municipal election occurring at least three  
2 months after the proposed constitutional amendment is passed by  
3 the General Assembly which meets the requirements of and is in  
4 conformance with section 1 of Article XI of the Constitution of  
5 Pennsylvania.