

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1038 Session of
2009

INTRODUCED BY MOUL, TALLMAN, BEAR, CREIGHTON, CUTLER,
DePASQUALE, GABLER, GROVE, HORNAMAN, KAUFFMAN, KESSLER,
KORTZ, McILVAINE SMITH, MELIO, MENSCH, METCALFE, MURT,
MUSTIO, PHILLIPS, ROAE, ROHRER, SWANGER, VULAKOVICH AND
GIBBONS, MARCH 23, 2009

REFERRED TO COMMITTEE ON RULES, MARCH 23, 2009

AN ACT

1 Amending the act of September 30, 1983 (P.L.160, No.39),
2 entitled "An act establishing salaries and compensation of
3 certain public officials including justices and judges of
4 Statewide courts, judges of courts of common pleas, judges of
5 the Philadelphia Municipal Court, judges of the Philadelphia
6 Traffic Court, district justices and the Governor, the
7 Lieutenant Governor, the State Treasurer, the Auditor
8 General, the Attorney General and certain other State
9 officers and the salary and certain expenses of the members
10 of the General Assembly; and repealing certain inconsistent
11 acts," further providing for judicial salaries, for
12 compensation of Governor, Lieutenant Governor, State
13 Treasurer, Auditor General, Attorney General, Commissioners
14 of the Pennsylvania Public Utility Commission and heads of
15 departments and for members of the General Assembly.

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

18 Section 1. Sections 2.1(i), 3(e) and 4(d) and (d.1) of the
19 act of September 30, 1983 (P.L.160, No.39), known as the Public
20 Official Compensation Law, reenacted and amended November 16,
21 2005 (P.L.385, No.72), are amended and the sections are amended
22 by adding subsections to read:

23 Section 2.1. Judicial salaries.

1 * * *

2 (i) Annual cost-of-living adjustment.--[Beginning] Except as
3 provided in subsection (i.1), beginning January 1, 1997, and
4 each January 1 thereafter, the annual salaries under subsections
5 (a) through (h) shall be increased by the percentage change in
6 the Consumer Price Index for All Urban Consumers (CPI-U) for the
7 Pennsylvania, New Jersey, Delaware and Maryland area for the
8 most recent 12-month period for which figures have been
9 officially reported by the United States Department of Labor,
10 Bureau of Labor Statistics immediately prior to the date the
11 adjustment is due to take effect. The percentage increase and
12 salary amounts shall be determined prior to the annual effective
13 date of the adjustment by the Supreme Court and shall be
14 published in the Pennsylvania Bulletin by the Court
15 Administrator of Pennsylvania within 20 days of the date the
16 determination is made.

17 (i.1) Adjustment freeze.--The adjustment provided under
18 subsection (i) shall not occur during the period beginning when
19 this subsection takes effect and ending December 31, 2010.

20 Section 3. Compensation of Governor and Lieutenant Governor;
21 State Treasurer; Auditor General; Attorney General;
22 Commissioners of the Pennsylvania Public Utility
23 Commission; and heads of departments.

24 * * *

25 (e) Annual cost-of-living adjustment.--[Beginning] Except as
26 provided in subsection (e.1), beginning January 1, 1997, and
27 each January 1 thereafter, the stated annual salaries of the
28 Governor and Lieutenant Governor, the State Treasurer, the
29 Auditor General, the Attorney General and the heads of the
30 departments and members of boards and commissions denoted herein

1 shall be increased by an annual cost-of-living increase
2 calculated by applying the percentage change in the Consumer
3 Price Index for All Urban Consumers (CPI-U) for the
4 Pennsylvania, New Jersey, Delaware and Maryland area, for the
5 most recent 12-month period for which figures have been
6 officially reported by the United States Department of Labor,
7 Bureau of Labor Statistics immediately prior to the date the
8 adjustment is due to take effect, to the then current salary
9 amounts authorized. The percentage increase and the salary
10 amounts shall be determined by the Governor prior to the annual
11 effective date of the adjustment and shall be published by the
12 Secretary of the Budget in the Pennsylvania Bulletin within ten
13 days of the date the determination is made.

14 (e.1) Adjustment freeze.--The adjustment provided under
15 subsection (e) shall not occur during the period beginning when
16 this subsection takes effect and ending December 31, 2010.

17 Section 4. Members of the General Assembly.

18 * * *

19 (d) Subsequent annual cost-of-living adjustment for
20 members.--[For] Except as provided in subsection (d.2), for the
21 12-month period beginning December 1, 1997, through November 30,
22 1998, and for each like 12-month period thereafter, the salary
23 of the members of the General Assembly shall be increased by an
24 annual cost-of-living adjustment calculated by applying the
25 percentage change in the Consumer Price Index for All Urban
26 Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and
27 Maryland area, for the most recent 12-month period for which
28 figures have been officially reported by the United States
29 Department of Labor, Bureau of Labor Statistics immediately
30 prior to the date the adjustment is due to take effect, to the

1 then current salary amounts. The percentage increase and the new
2 salary amounts shall be determined jointly by the Chief Clerk of
3 the Senate and the Chief Clerk of the House of Representatives
4 prior to the annual effective date of the adjustment and shall
5 be published by them in the Pennsylvania Bulletin within ten
6 days of the date such determination is made.

7 (d.1) Subsequent annual cost-of-living adjustment for
8 officers and leaders.--[For] Except as provided in subsection
9 (d.2), for the 12-month period beginning December 1, 1997,
10 through November 30, 1998, and for each like 12-month period
11 thereafter, the additional compensation of the officers and
12 leaders of the General Assembly shall be increased by an annual
13 cost-of-living adjustment calculated by applying the percentage
14 change in the Consumer Price Index for All Urban Consumers (CPI-
15 U) for the Pennsylvania, New Jersey, Delaware and Maryland area,
16 for the most recent 12-month period for which figures have been
17 officially reported by the United States Department of Labor,
18 Bureau of Labor Statistics immediately prior to the date the
19 adjustment is due to take effect, to the then current
20 compensation. The percentage increase and the new compensation
21 amounts shall be determined jointly by the Chief Clerk of the
22 Senate and the Chief Clerk of the House of Representatives prior
23 to the annual effective date of the adjustment and shall be
24 published in the Pennsylvania Bulletin within 20 days
25 immediately prior to each cost-of-living increase taking effect.

26 (d.2) Adjustment freeze.--The adjustment provided under
27 subsections (d) and (d.1) shall not occur during the period
28 beginning when this subsection takes effect and ending November
29 30, 2010.

30 Section 2. This act shall take effect immediately.