
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 40

Session of
2013

INTRODUCED BY O'NEILL, CLYMER, DEAN, FABRIZIO, FARRY, HESS,
KORTZ, MURT, SIMMONS, STEVENSON AND WATSON, JANUARY 24, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 24, 2013

A RESOLUTION

1 Directing the State Government Committee to conduct a
2 comprehensive study and review of the compensation provisions
3 of the Constitution of Pennsylvania and to make
4 recommendations.

5 WHEREAS, The Constitution of Pennsylvania contains several
6 sections pertaining to the process through which compensation is
7 to be dispensed to public officers, including:

8 Article II, section 8, providing for the compensation of the
9 members of the General Assembly;

10 Article III, section 26, providing for the retirement
11 allowances and pensions of members of the General Assembly;

12 Article III, section 27, prohibiting the term extension of
13 any public officer or the increase or decrease in his salary
14 after his election or appointment;

15 Article V, section 16, providing for the compensation of
16 justices, judges and justices of the peace;

17 Schedule No. 1, section 17, providing that the General
18 Assembly shall fix and determine the compensation of judges;

19 Schedule No. 1, section 29, providing for the compensation of

1 all State, county, city, ward, borough and township officers;
2 and

3 WHEREAS, Due to constitutional issues raised after the
4 passage of the act of July 7, 2005 (P.L.201, No.44), entitled
5 "An act amending Titles 42 (Judiciary and Judicial Procedure),
6 46 (Legislature) and 71 (State Government) of the Pennsylvania
7 Consolidated Statutes, providing for compensation; and making an
8 inconsistent repeal," it is necessary for the General Assembly
9 to fully examine these sections of the Constitution of
10 Pennsylvania as to their content and meaning; therefore be it

11 RESOLVED, That the State Government Committee be directed to
12 conduct a comprehensive study and review of the Constitution of
13 Pennsylvania relating to the compensation provisions identified
14 in this resolution, including any related judicial decisions not
15 so identified; and be it further

16 RESOLVED, That the committee hold public hearings on this
17 issue and determine whether or not constitutional amendments are
18 needed to clarify these sections; and be it further

19 RESOLVED, That the committee report its findings and
20 recommendations to the House of Representatives no later than
21 six months after the adoption of this resolution.