
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 263

Session of
1986

INTRODUCED BY KENNEDY, GREENWOOD, DAWIDA, LANGTRY AND
RICHARDSON, MARCH 18, 1986

REFERRED TO COMMITTEE ON RULES, MARCH 19, 1986

A RESOLUTION

1 Directing the Speaker of the House of Representatives to appoint
2 a bipartisan special committee to investigate and study a
3 potential financial crisis affecting the entire State
4 Employees' Retirement System.

5 WHEREAS, As a result of a decision of the Commonwealth Court,
6 in Catania v. State Employees' Retirement Board, 393 A.2d 1250
7 (1983), the taxpayers of this Commonwealth are required to pay
8 an additional \$15,000,000 for increased pensions for certain
9 members of the retirement system; and

10 WHEREAS, As a result of another decision by the Commonwealth
11 Court, in McKenna v. State Employees' Retirement Board, 439 A.2d
12 1306 (1984), the Pennsylvania taxpayers are going to pay an
13 additional \$25,000,000 for pension increases affecting only
14 certain members of the retirement system; and

15 WHEREAS, On or about January 13, 1986, a class action
16 complaint in mandamus was filed with the Supreme Court of
17 Pennsylvania, Eastern District, brought on behalf of all State
18 court judges assuming office after March 1, 1974, in order to

1 equalize the pension formula between those judges elected prior
2 to March 1, 1974, and those elected after March 1, 1974; and

3 WHEREAS, In the event a court decision were to equalize the
4 pension formula between members of the judiciary who were
5 elected prior to March 1, 1974, and those elected after March 1,
6 1974, the additional cost of the "pension reform" would be at
7 least \$74,500,000, causing a potential financial crisis
8 affecting the entire State Employees' Retirement System;
9 therefore be it

10 RESOLVED, That the House of Representatives urge the Public
11 Employee Retirement Study Commission to hold public hearings
12 throughout this Commonwealth on the potential financial impact
13 resulting from a court decision that upholds the current class
14 action filed on behalf of all State court judges elected after
15 March 1, 1974; and be it further

16 RESOLVED, That the committee may hold hearings, take
17 testimony and make its investigations at such places as it deems
18 necessary in this Commonwealth. It may issue subpoenas under the
19 hand and seal of its chairman commanding any person to appear
20 before the committee and to answer questions touching matters
21 properly being inquired into by the committee and to produce
22 such books, papers, records and documents as the committee deems
23 necessary. The subpoenas may be served upon any person and shall
24 have the same effect as subpoenas issued out of the courts of
25 this Commonwealth. Any person who willfully neglects or refuses
26 to testify before the committee or to produce any books, papers,
27 records or documents shall be subject to the penalties provided
28 by the laws of this Commonwealth in such case. Each member of
29 the committee shall have power to administer oaths and
30 affirmations to witnesses appearing before the committee; and be

1 it further

2 RESOLVED, That the committee make a report of its findings
3 and recommendations to the House of Representatives as soon as
4 possible.