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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1457

Session of  
1983

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INTRODUCED BY MRKONIC, HALUSKA, CLARK AND GREENWOOD,  
SEPTEMBER 21, 1983

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 21, 1983

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, providing for a unicameral General Assembly  
3 composed of 125 members.

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

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

8 (1) That sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13  
9 of Article II be amended to read:

10 § 1. Legislative power.

11 The legislative power of this Commonwealth shall be vested in  
12 a General Assembly, which shall consist of [a Senate and a House  
13 of Representatives] 125 members.

14 § 2. Election of members; vacancies.

15 Members of the General Assembly shall be chosen at the  
16 general election [every second year]. Their term of service  
17 shall begin on the first day of December next after their

1 election. Whenever a vacancy shall occur [in either House], the  
2 presiding officer [thereof] shall issue a writ of election to  
3 fill such vacancy for the remainder of the term.

4 § 3. Terms of members.

5 [Senators] Members shall be elected for the term of four  
6 years and [Representatives for the term of two years], except  
7 that at the first general election after the adoption of this  
8 amendment, members from odd-numbered districts shall be elected  
9 for a term of two years and members from even-numbered districts  
10 shall be elected for terms of four years.

11 § 4. Sessions.

12 The General Assembly shall be a continuing body during the  
13 term for which its [Representatives] members are elected. It  
14 shall meet at 12 o'clock noon on the first Tuesday of January  
15 each year. Special sessions shall be called by the Governor on  
16 petition of a majority of the members [elected to each House] or  
17 may be called by the Governor whenever in his opinion the public  
18 interest requires.

19 § 5. Qualifications of members.

20 [Senators] Members of the General Assembly shall be at least  
21 25 years of age [and Representatives 21 years of age]. They  
22 shall have been citizens and inhabitants of the State four  
23 years, and inhabitants of their respective districts one year  
24 next before their election (unless absent on the public business  
25 of the United States or of this State), and shall reside in  
26 their respective districts during their terms of service.

27 § 6. Disqualification to hold other office.

28 No [Senator or Representative] member of the General Assembly  
29 shall, during the time for which he was elected, be appointed to  
30 any civil office under this Commonwealth to which a salary, fee

1 or perquisite is attached. No member of Congress or other person  
2 holding any office (except of attorney-at-law or in the National  
3 Guard or in a reserve component of the armed forces of the  
4 United States) under the United States or this Commonwealth to  
5 which a salary, fee or perquisite is attached shall be a member  
6 of [either House] the General Assembly during his continuance in  
7 office.

8 § 8. Compensation.

9 The members of the General Assembly shall receive such salary  
10 and mileage for regular and special sessions as shall be fixed  
11 by law, and no other compensation whatever, whether for service  
12 upon committee or otherwise. No member of [either House] the  
13 General Assembly shall during the term for which he may have  
14 been elected, receive any increase of salary, or mileage, under  
15 any law passed during such term.

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

18 [The Senate shall, at the beginning and close of each regular  
19 session and at such other times as may be necessary, elect one  
20 of its members President pro tempore, who shall perform the  
21 duties of the Lieutenant Governor, in any case of absence or  
22 disability of that officer, and whenever the said office of  
23 Lieutenant Governor shall be vacant. The House of  
24 Representatives] The General Assembly shall elect one of its  
25 members as Speaker. [Each House] It shall choose its other  
26 officers, and shall judge of the election and qualifications of  
27 its members.

28 § 10. Quorum.

29 A majority of [each House] the General Assembly shall  
30 constitute a quorum, but a smaller number may adjourn from day

1 to day and compel the attendance of absent members.

2 § 11. Powers of [each house] the General Assembly;  
3 expulsion.

4 [Each House] The General Assembly shall have power to  
5 determine the rules of its proceedings and punish its members or  
6 other persons for contempt or disorderly behavior in its  
7 presence, to enforce obedience to its process, to protect its  
8 members against violence or offers of bribes or private  
9 solicitation, and, with the concurrence of two-thirds, to expel  
10 a member, but not a second time for the same cause, and shall  
11 have all other powers necessary for the Legislature of a free  
12 State. A member expelled for corruption shall not thereafter be  
13 eligible to [either House] the General Assembly, and punishment  
14 for contempt or disorderly behavior shall not bar an indictment  
15 for the same offense.

16 § 12. Journals; yeas and nays.

17 [Each House] The General Assembly shall keep a journal of its  
18 proceedings and from time to time publish the same, except such  
19 parts as require secrecy, and the yeas and nays of the members  
20 on any question shall, at the desire of any two of them, be  
21 entered on the journal.

22 § 13. Open sessions.

23 The sessions of [each House] the General Assembly and of  
24 committees of the whole shall be open, unless when the business  
25 is such as ought to be kept secret.

26 (2) That section 14 of Article II be repealed.

27 (3) That sections 15, 16 and 17(b) of Article II be amended  
28 to read:

29 § 15. Privileges of members.

30 The members of the General Assembly shall in all cases,

1 except treason, felony, violation of their oath of office, and  
2 breach or surety of the peace, be privileged from arrest during  
3 their attendance at the sessions of [their respective Houses]  
4 the General Assembly and in going to and returning from the  
5 same; and for any speech or debate in [either House] the General  
6 Assembly they shall not be questioned in any other place.

7 § 16. Legislative districts.

8 The Commonwealth shall be divided into [50 senatorial and 203  
9 representative] 125 legislative districts, which shall be  
10 composed of compact and contiguous territory as nearly equal in  
11 population as practicable. [Each senatorial district shall elect  
12 one Senator, and each representative district one  
13 Representative.] Unless absolutely necessary no county, city,  
14 incorporated town, borough, township or ward shall be divided in  
15 forming [either a senatorial or representative] a legislative  
16 district.

17 § 17. Legislative Reapportionment Commission.

18 \* \* \*

19 (b) The commission shall consist of [five] three members:  
20 [four] two of whom shall be the majority and minority leaders of  
21 [both the Senate and the House of Representatives] the General  
22 Assembly, or deputies appointed by each of them, and a chairman  
23 selected as hereinafter provided. No later than 60 days  
24 following the official reporting of the Federal decennial census  
25 as required by Federal law, the [four] two members shall be  
26 certified by the [President pro tempore of the Senate and the]  
27 Speaker of the [House of Representatives] General Assembly to  
28 the elections officer of the Commonwealth who under law shall  
29 have supervision over elections.

30 The [four] two members within 45 days after their

1 certification shall select the [fifth] third member, who shall  
2 serve as chairman of the commission, and shall immediately  
3 certify his name to such elections officer. The chairman shall  
4 be a citizen of the Commonwealth other than a local, State or  
5 Federal official holding an office to which compensation is  
6 attached.

7 If the [four] two members fail to select the [fifth] third  
8 member within the time prescribed, a majority of the entire  
9 membership of the Supreme Court within 30 days thereafter shall  
10 appoint the chairman as aforesaid and certify his appointment to  
11 such elections officer.

12 Any vacancy in the commission shall be filled within 15 days  
13 in the same manner in which such position was originally filled.

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