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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2073

Session of  
1993

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INTRODUCED BY GLADECK, TRELLO, PLATTS, FICHTER, TRUE, BUNT,  
GERLACH, GODSHALL, LEH, HANNA, MILLER, WAUGH, CARONE, LAUB,  
RAYMOND, ZUG, L. I. COHEN, SAURMAN, HENNESSEY, CIVERA,  
ADOLPH, FARGO, REBER, DURHAM AND CHADWICK, OCTOBER 4, 1993

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REFERRED TO COMMITTEE ON LABOR RELATIONS, OCTOBER 4, 1993

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for prohibiting delegation  
3 of certain powers.

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 31 of Article III be amended to read:

9 § 31. Delegation of certain powers prohibited.

10 The General Assembly shall not delegate to any special  
11 commission, private corporation or association, any power to  
12 make, supervise or interfere with any municipal improvement,  
13 money, property or effects, whether held in trust or otherwise,  
14 or to levy taxes or perform any municipal function whatever.

15 Notwithstanding the foregoing limitation or any other  
16 provision of the Constitution, the General Assembly may enact  
17 laws which provide that the findings of panels or commissions,

1 selected and acting in accordance with law for the adjustment or  
2 settlement of grievances or disputes or for collective  
3 bargaining between [policemen and firemen] public employees and  
4 their public employers shall be binding upon all parties and  
5 shall constitute a mandate to the head of the political  
6 subdivision which is the employer, or to the appropriate officer  
7 of the Commonwealth if the Commonwealth is the employer, with  
8 respect to matters which can be remedied by administrative  
9 action, and to the lawmaking body of such political subdivision  
10 or of the Commonwealth, with respect to matters which require  
11 legislative action, to take the action necessary to carry out  
12 such findings. Any such law shall require that the finding of  
13 the panel or commission shall be confined to a choice between  
14 the last offer of the employer and the last offer of the  
15 employees' representative.