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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

No. 14

Session of  
2001

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INTRODUCED BY PERZEL AND HABAY, JANUARY 24, 2001

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AMENDED, IN SENATE, FEBRUARY 6, 2001

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A CONCURRENT RESOLUTION

1 Creating a joint select committee of the General Assembly to  
2 examine, investigate and make a complete study of  
3 Pennsylvania's election laws, practices and procedures  
4 relating to voter eligibility, to the methods of voting, to  
5 the casting, counting and recounting of votes, to voter  
6 registration, to absentee balloting, to protections against  
7 fraud and to legal remedies related thereto.

8 WHEREAS, The United States Supreme Court, in its recent  
9 decision in Bush v. Gore, ruled that the absence of uniform  
10 standards in Florida for the conduct of a statewide recount of  
11 the votes cast for President of the United States at the  
12 election held on November 7, 2000, violated the Equal Protection  
13 Clause of the Fourteenth Amendment to the United States  
14 Constitution; and

15 WHEREAS, It is uncertain how expansively the United States  
16 Supreme Court and other courts will apply the precedent  
17 established by the United States Supreme Court decision in Bush  
18 v. Gore whenever those courts are called upon to determine the  
19 outcome of elections in future cases; and

1       WHEREAS, It is important that the General Assembly review the  
2 election laws of this Commonwealth and make appropriate  
3 revisions where necessary in order to assure that Pennsylvania  
4 avoids any electoral problems should the Commonwealth experience  
5 an extremely close Statewide election; and

6       WHEREAS, It is necessary for the General Assembly to review  
7 the adequacy of the various types of voting systems that are  
8 being used throughout this Commonwealth; and

9       WHEREAS, It is imperative that laws, practices and procedures  
10 relating to voter eligibility, to the methods of voting, to the  
11 casting, counting and recounting of votes, to voter  
12 registration, to absentee balloting and legal remedies related  
13 thereto are sufficient to assure the conduct of an accurate and  
14 fair election; therefore be it

15       RESOLVED (the Senate concurring), That a joint select  
16 committee on election reform be created and be authorized to  
17 examine, investigate and make a complete study of Pennsylvania's  
18 election laws, practices and procedures relating to voter  
19 eligibility, to the methods of voting, to the casting, counting  
20 and recounting of votes, to voter registration, to absentee  
21 balloting, to protections against fraud and to legal remedies  
22 related thereto; and be it further

23       RESOLVED, That the committee consist of ten members of the  
24 General Assembly as follows:

25           (1) Three members of the House of Representatives, one  
26 of whom shall be a member of the minority party, shall be  
27 appointed by the Speaker of the House of Representatives.

28           (2) ~~Three~~ FIVE members of the Senate, ~~one~~ TWO of whom  
29 shall be ~~a member~~ MEMBERS of the minority party RECOMMENDED

30       BY THE MINORITY LEADER, shall be appointed by the President

1 pro tempore of the Senate.

2 (3) The chairman and the minority chairman of the State  
3 Government Committee of the House of Representatives;

4 ~~(4) The chairman and the minority chairman of the State~~ <—  
5 ~~Government Committee of the Senate;~~

6 and be it further

7 RESOLVED, That the Speaker of the House of Representatives  
8 appoint a committee member from the House of Representatives as  
9 a co-chairman of the committee and the President pro tempore of  
10 the Senate shall appoint a committee member from the Senate as a  
11 co-chairman of the committee; and be it further

12 RESOLVED, That the committee may hold hearings, take  
13 testimony and conduct its investigations at such places in this  
14 Commonwealth as it deems necessary. ~~It~~ THE COMMITTEE, WITH THE <—  
15 APPROVAL OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE  
16 PRESIDENT PRO TEMPORE OF THE SENATE, may issue subpoenas under  
17 the hand and seal of the co-chairmen commanding any person to  
18 appear before the committee and to answer questions touching  
19 matters properly being inquired into by the committee and to  
20 produce such books, papers, records and documents as the  
21 committee deems necessary. The subpoenas may be served upon any  
22 person and shall have the same effect as subpoenas issued out of  
23 the courts of this Commonwealth and any person who willfully  
24 neglects or refuses to testify before the committee or to  
25 produce any books, papers, records or documents shall be subject  
26 to the penalties provided by the laws of this Commonwealth in  
27 such case. Each member of the committee shall have power to  
28 administer oaths and affirmations to witnesses appearing before  
29 the committee; and be it further

30 RESOLVED, That the committee be authorized to hire or

1 contract for such staff as it deems necessary; and be it further  
2 RESOLVED, That the actual expenses incurred by the committee  
3 be equally divided between the House of Representatives and the  
4 Senate; and be it further

5 RESOLVED, That the committee, WITH THE APPROVAL OF THE <—  
6 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO  
7 TEMPORE OF THE SENATE, report its findings, together with its  
8 recommendations for any remedial legislation or other  
9 appropriate action, at the earliest practicable date, to the  
10 House of Representatives and to the Senate, provided that the  
11 committee, WITH THE APPROVAL OF THE SPEAKER OF THE HOUSE OF <—  
12 REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE, is  
13 authorized to issue such interim reports as it deems  
14 appropriate.