

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 581 Session of
2010

INTRODUCED BY O'NEILL, BRENNAN, CALTAGIRONE, CREIGHTON,
DePASQUALE, GRELL, GROVE, GRUCELA, HESS, HORNAMAN, KORTZ,
KOTIK, MICCARELLI, PYLE, ROAE, ROSS, SIPTROTH, STABACK,
STEVENSON AND VULAKOVICH, JANUARY 11, 2010

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 11, 2010

A RESOLUTION

1 Directing the State Government Committee of the House of
2 Representatives to conduct a comprehensive study and review
3 of the compensation provisions of the Constitution of
4 Pennsylvania and to make 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, but not limited
8 to:

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

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

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

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

18 Schedule No. 1, section 17, providing that the General

1 Assembly shall fix and determine the compensation of judges;
2 Schedule No. 1, section 29, providing for the compensation of
3 all State, county, city, ward, borough and township officers;
4 and

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

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

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

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