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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1164 Session of  
2015

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INTRODUCED BY TEPLITZ, MARCH 22, 2016

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REFERRED TO STATE GOVERNMENT, MARCH 22, 2016

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AN ACT

1 Establishing the Citizens Compensation Commission; providing for  
2 its powers and duties; and repealing provisions of the Public  
3 Official Compensation Law.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Citizens  
8 Compensation Commission Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Commission." The Citizens Compensation Commission  
14 established by this act.

15 "Party officer." The term includes:

16 (1) A member of a national political party committee.

17 (2) A chairman, vice chairman, secretary, treasurer or  
18 counsel of a State political party committee or member of the  
19 executive committee of a State committee of a political

1 party.

2 (3) A county chairman, vice chairman, secretary,  
3 treasurer or counsel of a county political party committee.

4 (4) A city chairman, vice chairman, secretary, treasurer  
5 or counsel of a city political party committee.

6 "Public official." The term includes:

7 (1) The Governor, Lieutenant Governor, a member of the  
8 Governor's cabinet, Treasurer, Auditor General and Attorney  
9 General of the Commonwealth.

10 (2) A member of the Senate or House of Representatives  
11 of the Commonwealth.

12 (3) An individual elected or appointed to any office of  
13 a county or municipality that directly receives a  
14 distribution of revenue under this act.

15 (4) An individual elected or appointed to a department,  
16 agency, board, commission, authority or other governmental  
17 body not included in paragraph (1), (2) or (3) that directly  
18 receives a distribution of revenue under this act.

19 (5) An individual elected or appointed to a department,  
20 agency, board, commission, authority, county, municipality or  
21 other governmental body not included in paragraph (1), (2) or  
22 (3) who has discretionary power that may influence or affect  
23 the outcome of an action or decision and is involved in:

24 (i) the development of regulation or policy relating  
25 to a licensed entity; or

26 (ii) in other matters under this act.

27 The term does not include a member of a school board or an  
28 individual who held an uncompensated office with a governmental  
29 body prior to January 1, 2006, and who no longer holds the  
30 office as of January 1, 2006. The term includes a member of an

1 advisory board or commission that makes recommendations relating  
2 to a licensed facility.

3 Section 3. Commission established.

4 The Citizens Compensation Commission is established. The  
5 commission shall annually determine the salary paid to members  
6 of the General Assembly and the amount of additional  
7 compensation to be paid to officers and leaders of the Senate  
8 and House of Representatives.

9 Section 4. Membership.

10 (a) Appointment.--The commission shall consist of members  
11 who must be residents of this Commonwealth and who shall be  
12 appointed by the Governor. The Governor shall appoint:

13 (1) Two members who are representatives of labor  
14 organizations.

15 (2) Two members who own or operate a small business.

16 (3) Two members who are individual taxpayers of this  
17 Commonwealth.

18 (4) One member who is an executive level employee of a  
19 large for-profit business entity.

20 (5) One member who is the director, officer or executive  
21 level employee of a nonprofit organization.

22 (6) Two members who are professionals in the field of  
23 employee compensation from different organizations.

24 (b) Ineligibility.--

25 (1) No person may be appointed a member of the  
26 commission or be employed by or be an independent contractor  
27 of the commission if the person is, or has been within the  
28 preceding 10 years, a public official or party officer in  
29 this Commonwealth or any of its political subdivisions.

30 (2) (i) No member of the commission may participate in

1 a hearing, proceeding or other matter in which the  
2 member, or the immediate family thereof, has a financial  
3 interest in the subject matter of the hearing or  
4 proceeding or other interest that could be substantially  
5 affected by the outcome of the hearing or proceeding.

6 (ii) For purposes of this paragraph, the term  
7 "immediate family" shall mean spouse, parent, brother,  
8 sister or child.

9 (c) Terms.--

10 (1) Except as otherwise provided in paragraph (2), the  
11 term of a member shall be three years, commencing July 1,  
12 2016, and until the member's successor is appointed.

13 (2) Of the members first appointed to the commission,  
14 the Governor shall designate three members to serve for three  
15 years, three of the members to serve for two years and three  
16 of the members to serve for one year.

17 (d) Compensation and expenses.--Members of the commission  
18 shall serve without compensation but shall be reimbursed for  
19 mileage and actual expenses incurred in carrying out their  
20 responsibilities under this act.

21 (e) Chairperson.--The members of the commission shall elect  
22 a member as chairperson of the commission.

23 (f) Action.--The concurrence of at least seven members shall  
24 be required for formal commission action.

25 (g) Meetings.--The chairperson shall call at least one  
26 meeting per calendar year, no later than July 1.

27 Section 5. Establishment of salaries and additional  
28 compensation.

29 (a) General rule.--The commission shall establish the salary  
30 of members of the General Assembly and the amount of additional

1 compensation to be paid to officers and leaders of the Senate  
2 and the House of Representatives for the period beginning  
3 December 1 of the same calendar year and ending November 30 of  
4 the subsequent calendar year.

5 (b) Limitation.--The commission may not establish a salary  
6 amount that is less than the salary amount established for the  
7 immediately preceding period beginning December 1 and ending  
8 November 30.

9 Section 6. Repeals.

10 Repeals are as follows:

11 (1) The General Assembly declares that the repeal under  
12 paragraph (2) is necessary to effectuate this act.

13 (2) Section 4 of the act of September 30, 1983 (P.L.160,  
14 No.39), known as the Public Official Compensation Law, is  
15 repealed.

16 Section 7. Applicability.

17 This act shall apply to any member of the General Assembly  
18 whose term of office commences after the effective date of this  
19 section.

20 Section 8. Effective date.

21 This act shall take effect immediately.