

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 167 Session of 2017

INTRODUCED BY WAGNER, VULAKOVICH, DiSANTO, FOLMER, WHITE, ALLOWAY, AUMENT, SCARNATI, MARTIN, REGAN, EICHELBERGER, CORMAN, RESCHENTHALER, STEFANO AND YAW, JANUARY 20, 2017

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, JANUARY 31, 2017

A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the
2 Commonwealth of Pennsylvania, prohibiting the Executive
3 Department and school districts from making payroll
4 collections of dues, fees and political contributions.

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

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

10 (1) That Article IV be amended by adding a section to read:

11 § 20. Payroll collection of dues, fees and political
12 contributions.

13 No agency in the Executive Department may use its payroll
14 system to collect membership dues, nonmembership fees or a <--
15 political contribution from an employee. DEDUCT FROM THE WAGES <--
16 OF A PUBLIC EMPLOYEE MONEY OR FUNDS TO BE USED FOR POLITICAL
17 CONTRIBUTIONS. A provision in a collective bargaining agreement
18 which authorizes collection in violation of this section is

1 void.

2 (2) That section 9 of Article IX be amended to read:

3 § 9. [Appropriation for public] Public purposes.

4 (a) The General Assembly shall not authorize any
5 municipality or incorporated district to become a stockholder in
6 any company, association or corporation, or to obtain or
7 appropriate money for, or to loan its credit to, any
8 corporation, association, institution or individual. The General
9 Assembly may provide standards by which municipalities or school
10 districts may give financial assistance or lease property to
11 public service, industrial or commercial enterprises if it shall
12 find that such assistance or leasing is necessary to the health,
13 safety or welfare of the Commonwealth or any municipality or
14 school district. Existing authority of any municipality or
15 incorporated district to obtain or appropriate money for, or to
16 loan its credit to, any corporation, association, institution or
17 individual, is preserved.

18 (b) A school district may not use its payroll system to
19 collect membership dues, nonmembership fees or a political <--
20 contribution from an employee. DEDUCT FROM THE WAGES OF A PUBLIC <--
21 EMPLOYEE MONEY OR FUNDS TO BE USED FOR POLITICAL CONTRIBUTIONS.
22 A provision in a collective bargaining agreement which
23 authorizes collection in violation of this subsection is void.

24 Section 2. (a) Upon the first passage by the General
25 Assembly of these proposed constitutional amendments, the
26 Secretary of the Commonwealth shall proceed immediately to
27 comply with the advertising requirements of section 1 of Article
28 XI of the Constitution of Pennsylvania and shall transmit the
29 required advertisements to two newspapers in every county in
30 which such newspapers are published in sufficient time after

1 passage of these proposed constitutional amendments.

2 (b) Upon the second passage by the General Assembly of these
3 proposed constitutional amendments, the Secretary of the
4 Commonwealth shall proceed immediately to comply with the
5 advertising requirements of section 1 of Article XI of the
6 Constitution of Pennsylvania and shall transmit the required
7 advertisements to two newspapers in every county in which such
8 newspapers are published in sufficient time after passage of
9 these proposed constitutional amendments. The Secretary of the
10 Commonwealth shall submit the proposed constitutional amendments
11 under section 1 of this resolution to the qualified electors of
12 this Commonwealth as a single ballot question at the first
13 primary, general or municipal election which meets the
14 requirements of and is in conformance with section 1 of Article
15 XI of the Constitution of Pennsylvania and which occurs at least
16 three months after the proposed constitutional amendments are
17 passed by the General Assembly.