

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 80

Session of
1983

INTRODUCED BY SWEET, HOFFEL, LASHINGER, OLASZ, D. R. WRIGHT,
POTT, RICHARDSON, HARPER, AFFLERBACH, MCINTYRE, MILLER,
MAIALE, HUTCHINSON, MACKOWSKI, PERZEL, MCHALE, WOZNIAK,
MICHLOVIC, MCCALL, DAWIDA, CLARK AND GREENWOOD, JANUARY 31,
1983

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 31, 1983

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for the use of final offer binding
3 arbitration procedures between certain public employees and
4 their public employers.

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

7 Section 1. The following amendment to the Constitution of
8 Pennsylvania is proposed in accordance with Article XI:

9 That section 31 of Article III be amended to read:

10 § 31. Delegation of certain powers prohibited.

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

16 Notwithstanding the foregoing limitation or any other
17 provision of the Constitution, the General Assembly may enact

1 laws which provide that the findings of panels or commissions,
2 selected and acting in accordance with law for the adjustment or
3 settlement of grievances or disputes or for collective
4 bargaining between policemen and firemen and their public
5 employers and for the settlement by final offer collective
6 bargaining, in the event of an impasse which would prevent a
7 school district from providing the minimum number of days of
8 instruction in a school year as required by law, between public
9 employees who are employees of a school district and their
10 public employers, shall be binding upon all parties and shall
11 constitute a mandate to the head of the political subdivision
12 which is the employer, or to the appropriate officer of the
13 Commonwealth if the Commonwealth is the employer, with respect
14 to matters which can be remedied by administrative action, and
15 to the lawmaking body of such political subdivision or of the
16 Commonwealth, with respect to matters which require legislative
17 action, to take the action necessary to carry out such findings.