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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 1074** Session of  
1995

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**Report of the Committee of Conference**

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To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 1074, entitled:

"An act amending the act of September 30, 1983 (P.L.160, No.39), entitled 'An act establishing salaries and compensation of certain public officials including justices and judges of Statewide courts, judges of courts of common pleas, judges of the Philadelphia Municipal Court, judges of the Philadelphia Traffic Court, district justices and the Governor, the Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and certain other State officers and the salary and certain expenses of the members of the General Assembly; and repealing certain inconsistent acts,' further providing for compensation of the members of the Environmental Hearing Board,"

respectfully submit the following bill as our report:

F. JOSEPH LOEPER

ROBERT C. JUBELIRER

ROBERT J. MELLOW

(Committee on the part of the Senate.)

MATTHEW J. RYAN

JOHN E. BARLEY

H. WILLIAM DeWEESE

(Committee on the part of the House of Representatives.)

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AN ACT

1 Amending the act of September 30, 1983 (P.L.160, No.39),  
2 entitled "An act establishing salaries and compensation of  
3 certain public officials including justices and judges of  
4 Statewide courts, judges of courts of common pleas, judges of  
5 the Philadelphia Municipal Court, judges of the Philadelphia  
6 Traffic Court, district justices and the Governor, the  
7 Lieutenant Governor, the State Treasurer, the Auditor  
8 General, the Attorney General and certain other State  
9 officers and the salary and certain expenses of the members  
10 of the General Assembly; and repealing certain inconsistent  
11 acts," further providing for compensation of justices and  
12 judges of Statewide courts, judges of courts of common pleas,  
13 judges of the Philadelphia Municipal Court, judges of the  
14 Philadelphia Traffic Court, district justices and the  
15 Governor, the Lieutenant Governor, the State Treasurer, the  
16 Auditor General, the Attorney General and certain other State  
17 officers and the salary and certain expenses of the members  
18 of the General Assembly; and making a repeal.

19 The General Assembly of the Commonwealth of Pennsylvania  
20 hereby enacts as follows:

21 Section 1. The act of September 30, 1983 (P.L.160, No.39),  
22 known as the Public Official Compensation Law, is amended by  
23 adding a section to read:

24 Section 2.1. Judicial salaries.

25 (a) Supreme Court.--The annual salary of the Chief Justice  
26 of the Supreme Court shall be \$123,000, and the annual salary of  
27 each of the other justices of the Supreme Court shall be  
28 \$119,750.

29 (b) Superior Court.--The annual salary of the President  
30 Judge of the Superior Court shall be \$117,750, and the annual  
31 salary of the other judges of the Superior Court shall be  
32 \$116,000.

33 (c) Commonwealth Court.--The annual salary of the President  
34 Judge of the Commonwealth Court shall be \$117,750. The annual  
35 salary of each of the other judges of the Commonwealth Court  
36 shall be \$116,000.

37 (d) Courts of common pleas.--

1           (1) The annual salary of a president judge of a court of  
2 common pleas shall be fixed in accordance with the following  
3 schedule:

4           (i) Allegheny County, \$106,000.

5           (ii) Philadelphia County, \$106,500.

6           (iii) Judicial districts having six or more judges,  
7 \$105,000.

8           (iv) Judicial districts having three to five judges,  
9 \$104,500.

10          (v) Judicial districts having one or two judges,  
11 \$104,000.

12          (vi) Administrative judges of the divisions of the  
13 Court of Common Pleas of Philadelphia County with  
14 divisions of six or more judges, \$105,000.

15          (vii) Administrative judges of the divisions of the  
16 Court of Common Pleas of Philadelphia County with  
17 divisions of five or less judges, \$104,500.

18          (viii) Administrative judges of the divisions of the  
19 Court of Common Pleas of Allegheny County with divisions  
20 of six or more judges, \$105,000.

21          (ix) Administrative judges of the divisions of the  
22 Court of Common Pleas of Allegheny County with divisions  
23 of five or less judges, \$104,500.

24          (2) The other judges of the courts of common pleas shall  
25 be paid an annual salary of \$104,000.

26          (e) Philadelphia Municipal Court.--The President Judge of  
27 the Philadelphia Municipal Court shall receive an annual salary  
28 of \$103,000. The annual salary for the other judges of the  
29 Philadelphia Municipal Court shall be \$101,250.

30          (f) Philadelphia Traffic Court.--The President Judge of the

1 Philadelphia Traffic Court shall receive an annual salary of  
2 \$55,000. The annual salary for the other judges of the  
3 Philadelphia Traffic Court shall be \$54,500.

4 (g) District justices.--A district justice shall receive an  
5 annual salary payable by the Commonwealth of \$51,500.

6 (h) Senior judges.--The compensation of the senior judges  
7 pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges)  
8 shall be \$315 per day. In any calendar year the amount of  
9 compensation which a senior judge shall be permitted to earn as  
10 a senior judge shall not, when added to retirement income paid  
11 by the Commonwealth for such senior judge, exceed the  
12 compensation payable by the Commonwealth to a judge then in  
13 regular active service on the court from which said senior judge  
14 retired. A senior judge who so elects may serve without being  
15 paid all or any portion of the compensation provided by this  
16 section.

17 (i) Annual cost-of-living adjustment.--Beginning January 1,  
18 1997, and each January 1 thereafter, the annual salaries under  
19 subsections (a) through (h) shall be increased by the percentage  
20 change in the Consumer Price Index for All Urban Consumers (CPI-  
21 U) for the Pennsylvania, New Jersey, Delaware and Maryland area  
22 for the most recent 12-month period for which figures have been  
23 officially reported by the United States Department of Labor,  
24 Bureau of Labor Statistics immediately prior to the date the  
25 adjustment is due to take effect. The percentage increase and  
26 salary amounts shall be determined prior to the annual effective  
27 date of the adjustment by the Supreme Court and shall be  
28 published in the Pennsylvania Bulletin by the Court  
29 Administrator of Pennsylvania within 20 days of the date the  
30 determination is made.

1 Section 2. Section 3 of the act, amended June 23, 1993  
2 (P.L.132, No.30), is amended to read:

3 Section 3. Compensation of Governor and Lieutenant Governor;  
4 State Treasurer; Auditor General; Attorney  
5 General; Commissioners of the Pennsylvania Public  
6 Utility Commission; and heads of departments.

7 (a) The Governor, the Lieutenant Governor and Cabinet.--The  
8 annual salaries of the Governor, the Lieutenant Governor and the  
9 heads of the departments shall be as follows: Governor,  
10 [~~\$105,000~~] \$125,000; Lieutenant Governor, [~~\$83,000~~] \$105,000;  
11 Adjutant General, [~~\$72,000~~] \$90,000; Secretary of Aging,  
12 [~~\$76,000~~] \$95,000; Secretary of Agriculture, [~~\$72,000~~] \$90,000;  
13 Secretary of Banking, [~~\$72,000~~] \$90,000; Secretary of Commerce,  
14 [~~\$76,000~~] \$95,000; Secretary of the Commonwealth, [~~\$72,000~~]  
15 \$90,000; Secretary of Community Affairs, [~~\$72,000~~] \$90,000;  
16 Secretary of Education, [~~\$80,000~~] \$100,000; Secretary of  
17 Environmental [Resources, ~~\$80,000~~] Protection, \$100,000;  
18 Secretary of General Services, [~~\$76,000~~] \$95,000; Secretary of  
19 Health, [~~\$80,000~~] \$100,000; Insurance Commissioner, [~~\$72,000~~]  
20 \$90,000; Secretary of Labor and Industry, [~~\$80,000~~] \$100,000;  
21 Secretary of Public Welfare, [~~\$80,000~~] \$100,000; Secretary of  
22 Revenue, [~~\$76,000~~] \$95,000; State Police Commissioner, [~~\$76,000~~]  
23 \$95,000; Secretary of Transportation, [~~\$80,000.~~] \$100,000;  
24 Secretary of Corrections, \$100,000; Secretary of Conservation  
25 and Natural Resources \$95,000.

26 (b) Compensation of State Treasurer, Auditor General and  
27 Attorney General.--The annual salaries of the State Treasurer,  
28 Auditor General and Attorney General shall be as follows: State  
29 Treasurer, [~~\$84,000~~] \$104,000; Auditor General, [~~\$84,000~~]  
30 \$104,000; Attorney General, [~~\$84,000~~] \$104,000.

1       (b.1) Compensation of members of boards and commission.--The  
2 annual salaries of the members of boards and commission shall be  
3 as follows: Member of the Liquor Control Board, \$48,800;  
4 Chairman of the Liquor Control Board, \$50,800; Member of the  
5 Civil Service Commission, \$40,625; Chairman of the Civil Service  
6 Commission, \$40,625; Member of the State Tax Equalization Board,  
7 \$16,250; Chairman of the State Tax Equalization Board, \$17,500;  
8 Member of Milk Marketing Board, \$15,625; Chairman of Milk  
9 Marketing Board, \$16,250; Member of the Securities Commission,  
10 \$15,000; Chairman of the Securities Commission, \$16,250; Member  
11 of the Athletic Commission, \$12,500; Chairman of the Athletic  
12 Commission, \$13,125; Member of the Board of Pardons, \$11,500;  
13 Chairman of the Board of Claims, \$84,800; Member of the Board of  
14 Claims, \$80,800.

15       (c) Additional compensation prohibited.--Neither the  
16 Governor, Lieutenant Governor, State Treasurer, Auditor General  
17 or Attorney General nor the head of any administrative  
18 department nor member of any board or commission referenced  
19 herein, shall receive any additional compensation for any  
20 services rendered to the Commonwealth in any capacity.

21       (d) Compensation of commissioners of the Pennsylvania Public  
22 Utility Commission.--Each of the commissioners of the  
23 Pennsylvania Public Utility Commission shall receive an annual  
24 salary commensurate with the annual salary received by the  
25 Secretary of Commerce, except the chairman, who shall receive an  
26 additional \$2,500 per year. [Notwithstanding the provisions of  
27 section 3(g) of the act of July 13, 1988 (P.L.530, No.94), known  
28 as the Environmental Hearing Board Act, to the contrary, no  
29 member of the Environmental Hearing Board shall be entitled to  
30 any increase in or additional compensation as a result of the

1 provisions of this subsection.]

2 (e) Annual cost-of-living adjustment.--Beginning January 1,  
3 1997 and each January 1 thereafter, the stated annual salaries  
4 of the Governor and Lieutenant Governor, the State Treasurer,  
5 the Auditor General, the Attorney General and the heads of the  
6 departments and members of boards and commissions denoted herein  
7 shall be increased by an annual cost-of-living increase  
8 calculated by applying the percentage change in the Consumer  
9 Price Index for All Urban Consumers (CPI-U) for the  
10 Pennsylvania, New Jersey, Delaware and Maryland area, for the  
11 most recent 12-month period for which figures have been  
12 officially reported by the United States Department of Labor,  
13 Bureau of Labor Statistics immediately prior to the date the  
14 adjustment is due to take effect, to the then current salary  
15 amounts authorized. The percentage increase and the salary  
16 amounts shall be determined by the Governor prior to the annual  
17 effective date of the adjustment and shall be published by the  
18 Secretary of the Budget in the Pennsylvania Bulletin within ten  
19 days of the date the determination is made.

20 Section 3. Section 4 of the act is amended by adding  
21 subsections to read:

22 Section 4. Members of the General Assembly.

23 \* \* \*

24 (c) First annual cost-of-living adjustment for members.--For  
25 the 12-month period beginning December 1, 1996, through November  
26 30, 1997, the salary of the members of the General Assembly  
27 shall be increased by a cost-of-living factor which shall be  
28 determined by increasing the amounts contained in subsection (a)  
29 by the percentage change in the Consumer Price Index for All  
30 Urban Consumers (CPI-U) for the Pennsylvania, New Jersey,



1 Delaware and Maryland area, officially reported by the United  
2 States Department of Labor, Bureau of Labor Statistics for the  
3 period from July 1, 1990, through October 31, 1996. The  
4 percentage increase and the new salary amounts shall be  
5 determined jointly by the Chief Clerk of the Senate and the  
6 Chief Clerk of the House of Representatives and published by  
7 them in the Pennsylvania Bulletin within 20 days immediately  
8 prior to the cost-of-living increase taking effect.

9 (c.1) First annual cost-of-living adjustment for officers  
10 and leaders.--For the 12-month period beginning December 1,  
11 1996, through November 30, 1997, the additional compensation of  
12 the officers and leaders of the General Assembly shall be  
13 increased by a cost-of-living factor which shall be determined  
14 by increasing the amounts contained in subsection (b) by the  
15 percentage change in the Consumer Price Index for All Urban  
16 Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and  
17 Maryland area, officially reported by the United States  
18 Department of Labor, Bureau of Labor Statistics for the period  
19 from July 1, 1990, through October 31, 1996. The percentage  
20 increase and the new compensation amounts shall be determined  
21 jointly by the Chief Clerk of the Senate and the Chief Clerk of  
22 the House of Representatives and published by them in the  
23 Pennsylvania Bulletin on or before November 30 immediately prior  
24 to the cost-of-living increase taking effect.

25 (d) Subsequent annual cost-of-living adjustment for  
26 members.--For the 12-month period beginning December 1, 1997,  
27 through November 30, 1998, and for each like 12-month period  
28 thereafter, the salary of the members of the General Assembly  
29 shall be increased by an annual cost-of-living adjustment  
30 calculated by applying the percentage change in the Consumer

1 Price Index for All Urban Consumers (CPI-U) for the  
2 Pennsylvania, New Jersey, Delaware and Maryland area, for the  
3 most recent 12-month period for which figures have been  
4 officially reported by the United States Department of Labor,  
5 Bureau of Labor Statistics immediately prior to the date the  
6 adjustment is due to take effect, to the then current salary  
7 amounts. The percentage increase and the new salary amounts  
8 shall be determined jointly by the Chief Clerk of the Senate and  
9 the Chief Clerk of the House of Representatives prior to the  
10 annual effective date of the adjustment and shall be published  
11 by them in the Pennsylvania Bulletin within ten days of the date  
12 such determination is made.

13 (d.1) Subsequent annual cost-of-living adjustment for  
14 officers and leaders.--For the 12-month period beginning  
15 December 1, 1997, through November 30, 1998, and for each like  
16 12-month period thereafter, the additional compensation of the  
17 officers and leaders of the General Assembly shall be increased  
18 by an annual cost-of-living adjustment calculated by applying  
19 the percentage change in the Consumer Price Index for All Urban  
20 Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and  
21 Maryland area, for the most recent 12-month period for which  
22 figures have been officially reported by the United States  
23 Department of Labor, Bureau of Labor Statistics immediately  
24 prior to the date the adjustment is due to take effect, to the  
25 then current compensation. The percentage increase and the new  
26 compensation amounts shall be determined jointly by the Chief  
27 Clerk of the Senate and the Chief Clerk of the House of  
28 Representatives prior to the annual effective date of the  
29 adjustment and shall be published in the Pennsylvania Bulletin  
30 within 20 days immediately prior to each cost-of-living increase

1 taking effect.

2 Section 4. The act is amended by adding a section to read:

3 Section 5.2. Additional expenses for members of the General  
4 Assembly.

5 (a) Members expense allowance.--For the period commencing  
6 November 1, 1995, and ending November 30, 1996, members of the  
7 General Assembly shall receive, in addition to any allowance for  
8 clerical assistance and other expenses, an unvouchered expense  
9 allowance of \$733 per month which shall be paid monthly.

10 (b) Senate officers and leaders expense allowance.--For the  
11 period commencing November 1, 1995, and ending November 30,  
12 1996, the following officers and leaders of the Senate shall  
13 receive, in addition to any allowance for clerical assistance  
14 and other expenses, an unvouchered expense allowance in the  
15 following amounts which shall be paid monthly: President pro  
16 tempore, \$411; Majority Leader, \$329; Minority Leader, \$329;  
17 Majority Whip, \$250; Minority Whip, \$250; Majority Caucus  
18 Chairman, \$156; Minority Caucus Chairman, \$156; Appropriations  
19 Chairman, \$250; Minority Appropriations Chairman, \$250; Majority  
20 Caucus Secretary, \$103; Minority Caucus Secretary, \$103;  
21 Majority Policy Chairman, \$103; Minority Policy Chairman, \$103;  
22 Majority Caucus Administrator, \$103; Minority Caucus  
23 Administrator, \$103.

24 (c) House officers and leaders expense allowance.--For the  
25 period commencing November 1, 1995, and ending November 30,  
26 1996, the following officers and leaders of the House of  
27 Representatives shall receive, in addition to any allowance for  
28 clerical assistance and other expenses, an unvouchered expense  
29 allowance in the following amounts which shall be paid monthly:  
30 Speaker of the House of Representatives, \$411; Majority Leader,

1 \$329; Minority Leader, \$329; Majority Whip, \$250; Minority Whip,  
2 \$250; Majority Caucus Chairman, \$156; Minority Caucus Chairman,  
3 \$156; Appropriations Chairman, \$250; Minority Appropriations  
4 Chairman, \$250; Majority Caucus Secretary, \$103; Minority Caucus  
5 Secretary, \$103; Majority Policy Chairman, \$103; Minority Policy  
6 Chairman, \$103; Majority Caucus Administrator, \$103; Minority  
7 Caucus Administrator, \$103.

8 (d) Senators expense allowance 1996-1997.--Senators elected  
9 at the General Election of 1994, shall receive for the 12-month  
10 period, beginning December 1, 1996, and ending November 30,  
11 1997, in addition to any allowance for clerical assistance and  
12 other expenses, an annual unvouchered expense allowance of  
13 \$8,800 increased by the dollar amount that the increase  
14 calculated pursuant to section 4(c) exceeds \$8,800, which shall  
15 be paid on a pro rata basis monthly.

16 (d.1) Senators expense allowance 1997-1998.--Senators  
17 elected at the General Election of 1994, shall receive for the  
18 12-month period, beginning December 1, 1997, and ending November  
19 30, 1998, in addition to any allowance for clerical assistance  
20 and other expenses, an annual unvouchered expense allowance in  
21 the amount determined in section 5.2(d) increased by the dollar  
22 amount of the increase calculated pursuant to section 4(d) for  
23 the 12-month period beginning December 1, 1997, and ending  
24 November 30, 1998, which shall be paid pro rata on a monthly  
25 basis.

26 (e) Senate officers and leaders expense allowance 1996-  
27 1997.--Senators elected in the General Election of 1994 who are  
28 also officers or leaders of the Senate shall receive in addition  
29 to any allowance for clerical assistance and other expenses in  
30 conjunction with their positions as officers and leaders for the

1 12-month period beginning December 1, 1996, and ending November  
2 30, 1997, an annual unvouchered expense allowance in the  
3 following adjusted amounts: President pro tempore, \$4,931;  
4 Majority Leader, \$3,945; Minority Leader, \$3,945; Majority Whip,  
5 \$2,994; Minority Whip, \$2,994; Majority Caucus Chairman, \$1,867;  
6 Minority Caucus Chairman, \$1,867; Appropriations Chairman,  
7 \$2,994; Minority Appropriations Chairman, \$2,994; Majority  
8 Caucus Secretary, \$1,233; Minority Caucus Secretary, \$1,233;  
9 Majority Policy Chairman, \$1,233; Minority Policy Chairman,  
10 \$1,233; Majority Caucus Administrator, \$1,233; Minority Caucus  
11 Administrator, \$1,233; which amounts shall be increased  
12 respectively by the dollar amount that the amount calculated  
13 pursuant to section 4(c.1) for each officer or leader exceeds  
14 the respective amounts above, which shall be paid on a pro rata  
15 basis monthly.

16 (e.1) Senate officers and leaders expense allowance 1997-  
17 1998.--Senators elected in the General Election of 1994 who are  
18 also officers or leaders of the Senate shall receive in addition  
19 to any allowance for clerical assistance and other expenses in  
20 conjunction with their positions as officers and leaders for the  
21 12-month period beginning December 1, 1997, and ending November  
22 30, 1998 an annual unvouchered expense allowance in the amount  
23 determined in section 5.2(e) increased by the dollar amount of  
24 the increase calculated pursuant to section 4(d.1) for the 12-  
25 month period beginning December 1, 1997, and ending November 30,  
26 1998, which shall be paid on a pro rata basis monthly.

27 (f) Expiration.--This section shall expire November 30,  
28 1998.

29 Section 5. The following acts and parts of acts are  
30 repealed:

1 The last sentence of section 301 of the act of June 28, 1995  
2 (P.L.89, No.18), known as the Conservation and Natural Resources  
3 Act.

4 42 Pa.C.S. § 3581.

5 Section 6. It is the intent of the General Assembly that it  
6 would not have enacted any of the provisions of this act without  
7 all other provisions of the act and that all of the provisions  
8 are essentially and inseparably connected with each other.  
9 Accordingly, the provisions of this act shall be nonseverable  
10 and if any provision of this act or its application to any  
11 person or circumstance is held invalid, the remaining provisions  
12 or applications of this act are void.

13 Section 7. This act shall take effect as follows:

14 (1) The amendment of section 3 of the act shall take  
15 effect immediately, and shall be applicable as  
16 constitutionally permissible.

17 (2) The amendment of section 4 of the act shall take  
18 effect immediately and be applicable as constitutionally  
19 permissible.

20 (3) The addition of section 5.2 of the act shall take  
21 effect November 1, 1995.

22 (4) The remainder of this act shall take effect November  
23 1, 1995.