

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 1232** Session of
2001

INTRODUCED BY BOSCOLA AND COSTA, DECEMBER 6, 2001

REFERRED TO RULES AND EXECUTIVE NOMINATIONS, DECEMBER 6, 2001

A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the
2 Commonwealth of Pennsylvania, further providing for
3 disqualification to hold other office and for vacancy in the
4 office of Lieutenant Governor.

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 section 6 of Article II be amended to read:

11 § 6. Disqualification to hold other office.

12 [No] Except as provided in section 14 of Article IV, no
13 Senator or Representative shall, during the time for which he
14 was elected, be appointed to any civil office under this
15 Commonwealth to which a salary, fee or perquisite is attached.
16 No member of Congress or other person holding any office (except
17 of attorney-at-law or in the National Guard or in a reserve
18 component of the armed forces of the United States) under the

1 United States or this Commonwealth to which a salary, fee or
2 perquisite is attached shall be a member of either House during
3 his continuance in office.

4 (2) That section 14 of Article IV be amended to read:

5 § 14. Vacancy in office of Lieutenant Governor.

6 (a) In case of the death, conviction on impeachment, failure
7 to qualify or resignation of the Lieutenant Governor, [or in
8 case he should become] the Governor shall appoint, in accordance
9 with section 8 of this article, a Lieutenant Governor who shall
10 take office upon confirmation by a two-thirds vote of all
11 members elected to the Senate and shall serve for the remainder
12 of the term.

13 (b) Where the Lieutenant Governor becomes Governor under
14 section 13 of this article, [the President pro tempore of the
15 Senate shall become Lieutenant Governor for the remainder of the
16 term.] he shall appoint, in accordance with section 8 of this
17 article, a Lieutenant Governor, who shall take office upon
18 confirmation by a two-thirds vote of all members elected to the
19 Senate and shall serve for the remainder of the term.

20 (c) Should the Governor appoint any member of the Senate or
21 House of Representatives to serve as Lieutenant Governor, the
22 appointee's seat as Senator or Representative shall become
23 vacant upon confirmation and shall be filled by election as any
24 other vacancy in the General Assembly.

25 (d) In case of the disability of the Lieutenant Governor,
26 the powers, duties and emoluments of the office shall devolve
27 upon the President pro tempore of the Senate until the
28 disability is removed. [Should there be no Lieutenant Governor,
29 the President pro tempore of the Senate shall become Governor if
30 a vacancy shall occur in the office of Governor and in]

1 (e) If, by reason of death, resignation, removal from
2 office, inability or failure to qualify, there is neither a
3 Governor nor Lieutenant Governor to discharge the powers and
4 duties of the office of Governor, then the President pro tempore
5 of the Senate shall become Governor for the remainder of the
6 term. The President pro tempore's seat as Senator shall become
7 vacant when he becomes Governor and shall be filled by election
8 as any other vacancy in the Senate.

9 (f) If, by reason of death, resignation, removal from
10 office, inability or failure to qualify, there is no Lieutenant
11 Governor to discharge the powers and duties of the office of
12 Governor in the case of the disability of the Governor, the
13 powers, duties and emoluments of the office of Governor shall
14 devolve upon the President pro tempore of the Senate who shall
15 act as Governor until the disability is removed. [His seat as
16 Senator shall become vacant whenever he shall become Governor
17 and shall be filled by election as any other vacancy in the
18 Senate.]

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

27 (b) Upon the second passage by the General Assembly of these
28 proposed constitutional amendments, the Secretary of the
29 Commonwealth shall proceed immediately to comply with the
30 advertising requirements of section 1 of Article XI of the

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