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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**  
**No. 1063** Session of  
2004

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INTRODUCED BY MELLOW, KASUNIC, SCHWARTZ, MUSTO, STOUT, COSTA,  
KUKOVICH, KITCHEN AND LOGAN, MARCH 24, 2004

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REFERRED TO LABOR AND INDUSTRY, MARCH 24, 2004

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for prohibition of the  
3 delegation of certain powers.

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

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

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

9 § 31. Delegation of certain powers prohibited.

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

15 (b) Notwithstanding the foregoing limitation or any other  
16 provision of the Constitution, the General Assembly may enact  
17 laws which provide that the findings of panels or commissions,

1 selected and acting in accordance with law for the adjustment or  
2 settlement of grievances or disputes or for collective  
3 bargaining between policemen [and firemen], firemen and school  
4 employees and their public employers shall be binding upon all  
5 parties and shall constitute a mandate to the head of the  
6 political subdivision which is the employer, or to the  
7 appropriate officer of the Commonwealth if the Commonwealth is  
8 the employer, with respect to matters which can be remedied by  
9 administrative action, and to the lawmaking body of such  
10 political subdivision or of the Commonwealth, with respect to  
11 matters which require legislative action, to take the action  
12 necessary to carry out such findings.

13 Section 2. (a) Upon the first passage by the General  
14 Assembly of this proposed constitutional amendment, the  
15 Secretary of the Commonwealth shall proceed immediately to  
16 comply with the advertising requirements of section 1 of Article  
17 XI of the Constitution of Pennsylvania and shall transmit the  
18 required advertisements to two newspapers in every county in  
19 which such newspapers are published in sufficient time after  
20 passage of this proposed constitutional amendment.

21 (b) Upon the second passage by the General Assembly of this  
22 proposed constitutional amendment, the Secretary of the  
23 Commonwealth shall proceed immediately to comply with the  
24 advertising requirements of section 1 of Article XI of the  
25 Constitution of Pennsylvania and shall transmit the required  
26 advertisements to two newspapers in every county in which such  
27 newspapers are published in sufficient time after passage of  
28 this proposed constitutional amendment. The Secretary of the  
29 Commonwealth shall submit this proposed constitutional amendment  
30 to the qualified electors of this Commonwealth at the first

1 primary, general or municipal election which meets the  
2 requirements of and is in conformance with section 1 of Article  
3 XI of the Constitution of Pennsylvania and which occurs at least  
4 three months after the proposed constitutional amendment is  
5 passed by the General Assembly.