
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2302 Session of
2005

INTRODUCED BY DALEY, SCAVELLO, CALTAGIRONE, TIGUE, HANNA,
READSHAW, McILHATTAN, DIVEN AND SIPTROTH, DECEMBER 6, 2005

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 6, 2005

A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the
2 Commonwealth of Pennsylvania, providing for a unicameral
3 General Assembly composed of 125 members.

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

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

9 (1) That sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13
10 of Article II be amended to read:

11 § 1. Legislative power.

12 The legislative power of this Commonwealth shall be vested in
13 a General Assembly, which shall consist of [a Senate and a House
14 of Representatives] 125 members.

15 § 2. Election of members; vacancies.

16 Members of the General Assembly shall be chosen at the
17 general election [every second year]. Their term of service

1 shall begin on the first day of December next after their
2 election. Whenever a vacancy shall occur [in either House], the
3 presiding officer [thereof] shall issue a writ of election to
4 fill such vacancy for the remainder of the term.

5 § 3. Terms of members.

6 [Senators] (a) Except as provided in subsection (b), members
7 shall be elected for the term of four years [and Representatives
8 for the term of two years].

9 (b) At the first general election after the adoption of the
10 amendment adding this subsection, members from odd-numbered
11 districts shall be elected for a term of two years, and members
12 from even-numbered districts shall be elected for terms of four
13 years.

14 § 4. Sessions.

15 The General Assembly shall be a continuing body during the
16 term for which its [Representatives] members are elected. It
17 shall meet at 12 o'clock noon on the first Tuesday of January
18 each year. Special sessions shall be called by the Governor on
19 petition of a majority of the members [elected to each House] or
20 may be called by the Governor whenever in his opinion the public
21 interest requires.

22 § 5. Qualifications of members.

23 [Senators] Members of the General Assembly shall be at least
24 25 years of age [and Representatives 21 years of age]. They
25 shall have been citizens and inhabitants of the State four
26 years, and inhabitants of their respective districts one year
27 next before their election (unless absent on the public business
28 of the United States or of this State), and shall reside in
29 their respective districts during their terms of service.

30 § 6. Disqualification to hold other office.

1 No [Senator or Representative] member of the General Assembly
2 shall, during the time for which he was elected, be appointed to
3 any civil office under this Commonwealth to which a salary, fee
4 or perquisite is attached. No member of Congress or other person
5 holding any office (except of attorney-at-law or in the National
6 Guard or in a reserve component of the armed forces of the
7 United States) under the United States or this Commonwealth to
8 which a salary, fee or perquisite is attached shall be a member
9 of [either House] the General Assembly during his continuance in
10 office.

11 § 8. Compensation.

12 The members of the General Assembly shall receive such salary
13 and mileage for regular and special sessions as shall be fixed
14 by law, and no other compensation whatever, whether for service
15 upon committee or otherwise. No member of [either House] the
16 General Assembly shall during the term for which he may have
17 been elected, receive any increase of salary, or mileage, under
18 any law passed during such term.

19 § 9. Election of officers; judge of election and qualifications
20 of members.

21 [The Senate shall, at the beginning and close of each regular
22 session and at such other times as may be necessary, elect one
23 of its members President pro tempore, who shall perform the
24 duties of the Lieutenant Governor, in any case of absence or
25 disability of that officer, and whenever the said office of
26 Lieutenant Governor shall be vacant. The House of
27 Representatives] The General Assembly shall elect one of its
28 members as Speaker. [Each House] It shall choose its other
29 officers, and shall judge of the election and qualifications of
30 its members.

1 § 10. Quorum.

2 A majority of [each House] the General Assembly shall
3 constitute a quorum, but a smaller number may adjourn from day
4 to day and compel the attendance of absent members.

5 § 11. Powers of [each house] the General Assembly; expulsion.

6 [Each House] The General Assembly shall have power to
7 determine the rules of its proceedings and punish its members or
8 other persons for contempt or disorderly behavior in its
9 presence, to enforce obedience to its process, to protect its
10 members against violence or offers of bribes or private
11 solicitation, and, with the concurrence of two-thirds, to expel
12 a member, but not a second time for the same cause, and shall
13 have all other powers necessary for the Legislature of a free
14 State. A member expelled for corruption shall not thereafter be
15 eligible to [either House] the General Assembly, and punishment
16 for contempt or disorderly behavior shall not bar an indictment
17 for the same offense.

18 § 12. Journals; yeas and nays.

19 [Each House] The General Assembly shall keep a journal of its
20 proceedings and from time to time publish the same, except such
21 parts as require secrecy, and the yeas and nays of the members
22 on any question shall, at the desire of any two of them, be
23 entered on the journal.

24 § 13. Open sessions.

25 The sessions of [each House] the General Assembly and of
26 committees of the whole shall be open, unless when the business
27 is such as ought to be kept secret.

28 (2) That section 14 of Article II be repealed.

29 (3) That sections 15, 16 and 17(b) of Article II be amended
30 to read:

1 § 15. Privileges of members.

2 The members of the General Assembly shall in all cases,
3 except treason, felony, violation of their oath of office, and
4 breach or surety of the peace, be privileged from arrest during
5 their attendance at the sessions of [their respective Houses]
6 the General Assembly and in going to and returning from the
7 same; and for any speech or debate in [either House] the General
8 Assembly, they shall not be questioned in any other place.

9 § 16. Legislative districts.

10 The Commonwealth shall be divided into [50 senatorial and 203
11 representative] 125 legislative districts, which shall be
12 composed of compact and contiguous territory as nearly equal in
13 population as practicable. [Each senatorial district shall elect
14 one Senator, and each representative district one
15 Representative.] Unless absolutely necessary no county, city,
16 incorporated town, borough, township or ward shall be divided in
17 forming [either a senatorial or representative] a legislative
18 district.

19 § 17. Legislative Reapportionment Commission.

20 * * *

21 (b) The commission shall consist of [five] three members:
22 [four] two of whom shall be the majority and minority leaders of
23 [both the Senate and the House of Representatives] the General
24 Assembly, or deputies appointed by each of them, and a chairman
25 selected as hereinafter provided. No later than 60 days
26 following the official reporting of the Federal decennial census
27 as required by Federal law, the [four] two members shall be
28 certified by the [President pro tempore of the Senate and the]
29 Speaker of the [House of Representatives] General Assembly to
30 the elections officer of the Commonwealth who under law shall

1 have supervision over elections.

2 The [four] two members within 45 days after their
3 certification shall select the [fifth] third member, who shall
4 serve as chairman of the commission, and shall immediately
5 certify his name to such elections officer. The chairman shall
6 be a citizen of the Commonwealth other than a local, State or
7 Federal official holding an office to which compensation is
8 attached.

9 If the [four] two members fail to select the [fifth] third
10 member within the time prescribed, a majority of the entire
11 membership of the Supreme Court within 30 days thereafter shall
12 appoint the chairman as aforesaid and certify his appointment to
13 such elections officer.

14 Any vacancy in the commission shall be filled within 15 days
15 in the same manner in which such position was originally filled.

16 * * *

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

25 (b) Upon the second passage by the General Assembly of these
26 proposed constitutional amendments, the Secretary of the
27 Commonwealth shall proceed immediately to comply with the
28 advertising requirements of section 1 of Article XI of the
29 Constitution of Pennsylvania and shall transmit the required
30 advertisements to two newspapers in every county in which such

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