

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1298 Session of  
2007

INTRODUCED BY MARSICO, BENNINGHOFF, BOYD, BROOKS, CALTAGIRONE,  
CAPPELLI, COSTA, DALLY, EVERETT, GEIST, GERGELY, GINGRICH,  
GOODMAN, HANNA, HERSHEY, M. KELLER, KORTZ, LEACH, LEVDANSKY,  
O'NEILL, PAYNE, PETRI, PRESTON, ROAE, SAYLOR, SCAVELLO,  
R. STEVENSON, J. TAYLOR AND WATSON, MAY 18, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 18, 2007

AN ACT

1 Establishing the Compensation Commission; and providing for its  
2 powers and duties.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Compensation  
7 Commission Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Commission." The Compensation Commission established by  
13 this act.

14 "Judicial official." Any person who is a:

15 (1) judge of the court of common pleas;

16 (2) judge of the Commonwealth Court;

(3) judge of the Superior Court;  
(4) justice of the Supreme Court;  
(5) magisterial district judge;  
(6) judge of the Philadelphia Municipal Court;  
(7) judge of the Traffic Court of Philadelphia;  
(8) judge of the Pittsburgh Municipal Court; or  
(9) master appointed by a judge of a court of common  
pleas.

"Members of the Governor's cabinet." All of the following:

- (1) Adjutant General.
- (2) Secretary of Aging.
- (3) Secretary of Agriculture.
- (4) Secretary of Banking.
- (5) Secretary of the Commonwealth.
- (6) Secretary of Community and Economic Development.
- (7) Secretary of Conservation and Natural Resources.
- (8) Secretary of Corrections.
- (9) Secretary of Education.
- (10) Secretary of Environmental Protection.
- (11) Secretary of General Services.
- (12) Secretary of Health.
- (13) Insurance Commissioner.
- (14) Secretary of Labor and Industry.
- (15) Secretary of Public Welfare.
- (16) Secretary of Revenue.
- (17) Pennsylvania State Police Commissioner.
- (18) Secretary of Transportation.

"Remuneration." Includes salary, emolument, mileage, per  
diem, travel and other expense allowances and reimbursements.

Section 3. Commission established.

1       The Compensation Commission is established. The commission  
2 shall study and make recommendations as provided under section 5  
3 with respect to all aspects of compensation of State and  
4 judicial officials, to the end that the compensation structure  
5 for State and judicial officials shall be adequate to assure  
6 that highly qualified persons will be attracted to public  
7 service and will continue to serve without unreasonable economic  
8 hardship.

9       Section 4. Membership.

10       (a) Appointment.--The commission consists of seven members  
11 appointed by the Governor. No more than three members of the  
12 commission may be individuals admitted to practice law in this  
13 Commonwealth. In nominating and appointing members, special  
14 consideration shall be given to individuals who have knowledge  
15 of compensation practices and financial matters. The Governor  
16 shall appoint:

17           (1) Two members from a list of the names of at least  
18 five nominees submitted by the President pro tempore of the  
19 Senate.

20           (2) Two members from a list of the names of at least  
21 five nominees submitted by the Speaker of the House of  
22 Representatives.

23           (3) One member from a list of the names of at least  
24 three nominees submitted by the Pennsylvania Bar Association.

25           (4) Two members at large.

26       (b) Ineligibility.--The appointees shall be persons not  
27 holding any public office nor employed substantially full-time  
28 with compensation by the Commonwealth while serving on the  
29 commission.

30       (c) Term.--The term of a member is six years, commencing

1 July 1, 2007, and until the member's successor is appointed.  
2 However, of the members first appointed to the commission, the  
3 Governor shall designate one of the members nominated by the  
4 President pro tempore of the Senate to serve for three years and  
5 one for six years; one of the members nominated by the Speaker  
6 of the House of Representatives to serve for four years and one  
7 for five years; the member nominated by the Pennsylvania Bar  
8 Association to serve for three years; and one of the members at  
9 large to serve for two years and one for six years. A member is  
10 eligible for reappointment for one additional term.

11 (d) Compensation and expenses.--Members of the commission  
12 serve without compensation but shall be reimbursed for  
13 reasonable expenses incurred in carrying out their  
14 responsibilities under this act.

15 (e) Chairperson.--The members of the commission shall elect  
16 a member as chairperson of the commission.

17 (f) Action.--The concurrence of at least five members is  
18 required for any formal commission action.

19 (g) Cooperation.--The commission may request and receive  
20 assistance and information from any unit of State government.

## 21 Section 5. Duties.

22 (a) Study.--The commission shall make a study of the  
23 remuneration of the following officials:

- 24 (1) The members of the General Assembly.
- 25 (2) The Governor.
- 26 (3) The Lieutenant Governor.
- 27 (4) Members of the Governor's cabinet.
- 28 (5) The State Treasurer.
- 29 (6) The Attorney General.
- 30 (7) The Auditor General.

1           (8) The Inspector General.

2           (9) Judicial officials.

3       (b) Report.--By January 1, 2008, and by January 31 every  
4 four years thereafter, the commission shall prepare and submit  
5 to the Governor, the Chief Justice, the President pro tempore of  
6 the Senate and the Speaker of the House of Representatives a  
7 report with recommendations as to remuneration.

8 Section 6. Effective date.

9       This act shall take effect in 60 days.