
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 822 Session of
2007

INTRODUCED BY CORMAN, ERICKSON, GORDNER, TOMLINSON, WAUGH,
ROBBINS AND BRUBAKER, MAY 2, 2007

REFERRED TO STATE GOVERNMENT, MAY 2, 2007

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 majority vote of all members
11 elected to the Senate and shall serve for the remainder of the
12 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 majority 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, except
13 for the power provided by this section to appoint a Lieutenant
14 Governor, the powers, duties and emoluments of the office of
15 Governor shall devolve upon the President pro tempore of the
16 Senate who shall act as Governor until the disability is
17 removed. [His seat as Senator shall become vacant whenever he
18 shall become Governor and shall be filled by election as any
19 other vacancy in the Senate.]

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

28 (b) Upon the second passage by the General Assembly of these
29 proposed constitutional amendments, the Secretary of the
30 Commonwealth shall proceed immediately to comply with the

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