

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**SENATE BILL**

**No. 822**      Session of  
2007

---

INTRODUCED BY CORMAN, ERICKSON, GORDNER, TOMLINSON, WAUGH,  
ROBBINS, BRUBAKER, D. WHITE and EARLL, MAY 2, 2007

---

SENATOR ARMSTRONG, APPROPRIATIONS, RE-REPORTED AS AMENDED,  
MARCH 18, 2008

---

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 OTHER THAN LIEUTENANT GOVERNOR PURSUANT TO SECTION 14 OF ARTICLE <—

17 IV. No member of Congress or other person holding any office

1 (except of attorney-at-law or in the National Guard or in a  
2 reserve component of the armed forces of the United States)  
3 under the United States or this Commonwealth to which a salary,  
4 fee or perquisite is attached shall be a member of either House  
5 during his continuance in office.

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

7 § 14. Vacancy in office of Lieutenant Governor.

8 (a) In case of the death, conviction on impeachment, failure  
9 to qualify or resignation of the Lieutenant Governor, [or in  
10 case he should become] the Governor shall appoint, in accordance  
11 with section 8 of this article, a Lieutenant Governor. who shall <—  
12 take office upon confirmation by a majority vote of all THE <—  
13 APPOINTMENT SHALL BE SUBJECT TO THE CONSENT OF A MAJORITY OF THE  
14 members elected to the Senate. and THE APPOINTEE UPON APPROVAL <—  
15 shall serve for the remainder of the term.

16 (b) ~~where~~ WHENEVER the Lieutenant Governor becomes Governor <—  
17 under section 13 of this article, [the President pro tempore of  
18 the Senate shall become Lieutenant Governor for the remainder of  
19 the term.] he shall appoint, in accordance with section 8 of  
20 this article, a Lieutenant Governor. , who shall take office <—  
21 upon confirmation by a majority vote of all THE APPOINTMENT <—  
22 SHALL BE SUBJECT TO THE CONSENT OF A MAJORITY OF THE members  
23 elected to the Senate. and THE APPOINTEE UPON APPROVAL shall <—  
24 serve for the remainder of the term.

25 (c) Should the Governor appoint any A member of the Senate <—  
26 or House of Representatives to serve as Lieutenant Governor, the  
27 appointee's seat as Senator or Representative shall become  
28 vacant upon confirmation GENERAL ASSEMBLY AS LIEUTENANT <—  
29 GOVERNOR, UPON BECOMING LIEUTENANT GOVERNOR THE APPOINTEE'S SEAT  
30 AS A MEMBER OF THE GENERAL ASSEMBLY SHALL BECOME VACANT and

1 shall be filled by election as any other vacancy in the General  
2 Assembly.

3 (d) In case of the disability of the Lieutenant Governor,  
4 the powers, duties and emoluments of the office shall devolve  
5 upon the President pro tempore of the Senate until the  
6 disability is removed. [Should there be no Lieutenant Governor,  
7 the President pro tempore of the Senate shall become Governor if  
8 a vacancy shall occur in the office of Governor and in]

9 (e) If, by reason of death, resignation, removal from  
10 office, inability or failure to qualify, there is neither a  
11 Governor nor Lieutenant Governor to discharge the powers and  
12 duties of the office of Governor, ~~then~~ the President pro tempore <—  
13 of the Senate shall become Governor for the remainder of the  
14 term. ~~The President pro tempore's~~ AND HIS seat as Senator shall <—  
15 become vacant ~~when~~ WHENEVER he becomes Governor and shall be <—  
16 filled by election as any other vacancy in the Senate.

17 (f) If, by reason of death, resignation, removal from  
18 office, inability or failure to qualify, there is no Lieutenant  
19 Governor to discharge the powers and duties of the office of  
20 Governor in the case of the disability of the Governor, ~~except~~ <—  
21 ~~for the power provided by this section to appoint a Lieutenant~~  
22 ~~Governor,~~ the powers, duties and emoluments of the office of  
23 Governor, OTHER THAN THE AUTHORITY PROVIDED UNDER THIS SECTION <—  
24 TO APPOINT A LIEUTENANT GOVERNOR, shall devolve upon the  
25 President pro tempore of the Senate who shall act as Governor  
26 until the disability is removed. [His seat as Senator shall  
27 become vacant whenever he shall become Governor and shall be  
28 filled by election as any other vacancy in the Senate.]

29 Section 2. (a) Upon the first passage by the General  
30 Assembly of these proposed constitutional amendments, the

1 Secretary of the Commonwealth shall proceed immediately to  
2 comply with the advertising requirements of section 1 of Article  
3 XI of the Constitution of Pennsylvania and shall transmit the  
4 required advertisements to two newspapers in every county in  
5 which such newspapers are published in sufficient time after  
6 passage of these proposed constitutional amendments.

7 (b) Upon the second passage by the General Assembly of these  
8 proposed constitutional amendments, the Secretary of the  
9 Commonwealth shall proceed immediately to comply with the  
10 advertising requirements of section 1 of Article XI of the  
11 Constitution of Pennsylvania and shall transmit the required  
12 advertisements to two newspapers in every county in which such  
13 newspapers are published in sufficient time after passage of  
14 these proposed constitutional amendments. The Secretary of the  
15 Commonwealth shall submit the proposed constitutional amendments  
16 under section 1 to the qualified electors of this Commonwealth  
17 as a single ballot question at the first primary, general or  
18 municipal election which meets the requirements of and is in  
19 conformance with section 1 of Article XI of the Constitution of  
20 Pennsylvania and which occurs at least three months after the  
21 proposed constitutional amendments are passed by the General  
22 Assembly.