

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 260 Session of 2009

INTRODUCED BY GRUCELA, BEYER, CONKLIN, DALEY, EVERETT, GIBBONS,
GROVE, HARHAI, HARKINS, HORNAMAN, HUTCHINSON, KOTIK,
McILVAINE SMITH, MUNDY, MURT, MUSTIO, M. O'BRIEN, ROCK,
SCAVELLO AND WALKO, FEBRUARY 5, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 5, 2009

A JOINT RESOLUTION

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

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 section 1 of Article II be amended to read:

10 § 1. Legislative power.

11 The legislative power of this Commonwealth shall be vested in
12 a General Assembly, which shall consist of [a Senate and a House
13 of Representatives] 203 members.

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

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) That section 3 of Article II be amended to read:

6 § 3. Terms of members.

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

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

15 (4) That section 4 of Article II be amended to read:

16 § 4. Sessions.

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

24 (5) That section 5 of Article II be amended to read:

25 § 5. Qualifications of members.

26 [Senators] Members of the General Assembly shall be at least
27 25 years of age [and Representatives 21 years of age]. They
28 shall have been citizens and inhabitants of the State four
29 years, and inhabitants of their respective districts one year
30 next before their election (unless absent on the public business

1 of the United States or of this State), and shall reside in
2 their respective districts during their terms of service.

3 (6) That section 6 of Article II be amended to read:

4 § 6. Disqualification to hold other office.

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

15 (7) That section 8 of Article II be amended to read:

16 § 8. Compensation.

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

24 (8) That section 9 of Article II be amended to read:

25 § 9. Election of officers; judge of election and qualifications
26 of members.

27 [The Senate shall, at the beginning and close of each regular
28 session and at such other times as may be necessary, elect one
29 of its members President pro tempore, who shall perform the
30 duties of the Lieutenant Governor, in any case of absence or

1 disability of that officer, and whenever the said office of
2 Lieutenant Governor shall be vacant. The House of
3 Representatives] The General Assembly shall elect one of its
4 members as Speaker. [Each House] It shall choose its other
5 officers, and shall judge of the election and qualifications of
6 its members.

7 (9) That section 10 of Article II be amended to read:

8 § 10. Quorum.

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

12 (10) That section 11 of Article II be amended to read:

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

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

26 (11) That section 12 of Article II be amended to read:

27 § 12. Journals; yeas and nays.

28 [Each House] The General Assembly shall keep a journal of its
29 proceedings and from time to time publish the same, except such
30 parts as require secrecy, and the yeas and nays of the members

1 on any question shall, at the desire of any two of them, be
2 entered on the journal.

3 (12) That section 13 of Article II be amended to read:

4 § 13. Open sessions.

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

8 (13) That section 14 of Article II be repealed:

9 [§ 14. Adjournments.

10 Neither House shall, without the consent of the other,
11 adjourn for more than three days, nor to any other place than
12 that in which the two Houses shall be sitting.]

13 (14) That section 15 of Article II be amended to read:

14 § 15. Privileges of members.

15 The members of the General Assembly shall in all cases,
16 except treason, felony, violation of their oath of office, and
17 breach or surety of the peace, be privileged from arrest during
18 their attendance at the sessions of [their respective Houses]
19 the General Assembly and in going to and returning from the
20 same; and for any speech or debate in [either House] the General
21 Assembly, they shall not be questioned in any other place.

22 (15) That section 16 of Article II be amended to read:

23 § 16. Legislative districts.

24 The Commonwealth shall be divided into [50 senatorial and 203
25 representative] 203 legislative districts, which shall be
26 composed of compact and contiguous territory as nearly equal in
27 population as practicable. [Each senatorial district shall elect
28 one Senator, and each representative district one
29 Representative.] Unless absolutely necessary no county, city,
30 incorporated town, borough, township or ward shall be divided in

1 forming [either a senatorial or representative] a legislative
2 district.

3 (16) That section 17(b) of Article II be amended to read:

4 § 17. Legislative Reapportionment Commission.

5 * * *

6 (b) The commission shall consist of [five] three members:
7 [four] two of whom shall be the majority and minority leaders of
8 [both the Senate and the House of Representatives] the General
9 Assembly, or deputies appointed by each of them, and a chairman
10 selected as hereinafter provided. No later than 60 days
11 following the official reporting of the Federal decennial census
12 as required by Federal law, the [four] two members shall be
13 certified by the [President pro tempore of the Senate and the
14 Speaker of the House of Representatives] General Assembly to the
15 elections officer of the Commonwealth who under law shall have
16 supervision over elections.

17 The [four] two members within 45 days after their
18 certification shall select the [fifth] third member, who shall
19 serve as chairman of the commission, and shall immediately
20 certify his name to such elections officer. The chairman shall
21 be a citizen of the Commonwealth other than a local, State or
22 Federal official holding an office to which compensation is
23 attached.

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

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

1 * * *

2 Section 2. (a) Upon the first passage by the General
3 Assembly of these proposed constitutional amendments, the
4 Secretary of the Commonwealth shall proceed immediately to
5 comply with the advertising requirements of section 1 of Article
6 XI of the Constitution of Pennsylvania and shall transmit the
7 required advertisements to two newspapers in every county in
8 which such newspapers are published in sufficient time after
9 passage of these proposed constitutional amendments.

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