

(This Joint Resolution No. 3 was passed for the first time at the Legislative Session of 1976 as Joint Resolution No. 2 and for the second time at the Legislative Session of 1977.)

No. 1977-3

A JOINT RESOLUTION

SB 280

Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for filling vacancies in the office of justice, judge or justice of the peace.

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

Section 1. The following amendment to the Constitution of the Commonwealth of Pennsylvania is proposed in accordance with the provisions of Article XI thereof:

That subsection (b) of section 13 of Article V of the Constitution of the Commonwealth of Pennsylvania be amended to read:

§ 13. Election of justices, judges and justices of the peace; vacancies.

* * *

(b) A vacancy in the office of justice, judge or justice of the peace shall be filled by appointment by the Governor. The appointment shall be with the advice and consent of two-thirds of the members elected to the Senate, except in the case of justices of the peace which shall be by a majority. The person so appointed shall serve for **[an initial] a** term ending on the first Monday of January following the next municipal election more than ten months after the vacancy occurs ***or for the remainder of the unexpired term whichever is less.***

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Section 2. This proposed amendment shall be submitted by the Secretary of the Commonwealth to the qualified electors of the State, at the primary, municipal, or general election next held after the advertising requirements of Article XI, section 1 of the Constitution of the Commonwealth of Pennsylvania have been satisfied.