

(This Joint Resolution No. 1 was passed for the first time at the Legislative Session of 1998 as Joint Resolution No. 3 and for the second time at the Legislative Session of 2000. The provisions of section 1(1) of Joint Resolution No. 3 of 1998 are omitted from Joint Resolution No. 1 of 2000.)

No. 2000-1

A JOINT RESOLUTION

SB 231

Proposing amendments to the Constitution of the Commonwealth of Pennsylvania, providing for the election of Senators in certain circumstances; and further providing for retirement of justices, judges and justices of the peace.

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

Section 1. The following distinct amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

(1) That section 17(f), (g) and (h) of Article II be amended and the section be amended by adding a subsection to read:

§ 17. Legislative Reapportionment Commission.

* * *

(f) Any district which does not include the residence from which a member of the Senate was elected whether or not scheduled for election at the next general election shall elect a Senator at such election.

[(f)](g) The General Assembly shall appropriate sufficient funds for the compensation and expenses of members and staff appointed by the commission, and other necessary expenses. The members of the commission shall be entitled to such compensation for their services as the General Assembly from time to time shall determine, but no part thereof shall be paid until a preliminary plan is filed. If a preliminary plan is filed but the commission fails to file a revised or¹ final plan within the time prescribed, the commission members shall forfeit all right to compensation not paid.

[(g)](h) If a preliminary, revised or final reapportionment plan is not filed² by the commission within the time prescribed by this section, unless the time be extended by the Supreme Court for cause shown, the Supreme Court shall immediately proceed on its own motion to reapportion the Commonwealth.

[(h)](i) Any reapportionment plan filed by the commission, or ordered or prepared by the Supreme Court upon the failure of the commission to act, shall be published by the elections officer once in at least one newspaper of general circulation in each senatorial and representative district. The publication shall contain a map of the Commonwealth showing the

¹"of" in enrolled bill.

²"file" in enrolled bill.

complete reapportionment of the General Assembly by districts, and a map showing the reapportionment districts in the area normally served by the newspaper in which the publication is made. The publication shall also state the population of the senatorial¹ and representative districts having the smallest and largest population and the percentage variation of such districts from the average population for senatorial and representative districts.

(2) That section 16(b) of Article V be amended to read:

§ 16. Compensation and retirement of justices, judges and justices of the peace.

* * *

(b) Justices, judges and justices of the peace shall be retired **[upon attaining] on the last day of the calendar year in which they attain** the age of 70 years. Former and retired justices, judges and justices of the peace shall receive such compensation as shall be provided by law. Except as provided by law, no salary, retirement benefit or other compensation, present or deferred, shall be paid to any justice, judge or justice of the peace who, under section 18 or under Article VI, is suspended, removed or barred from holding judicial office for conviction of a felony or misconduct in office or conduct which prejudices the proper administration of justice or brings the judicial office into disrepute.

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Section 2. Upon the second passage by the General Assembly of these two proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments. The Secretary of the Commonwealth shall submit both proposed constitutional amendments to the qualified electors of this Commonwealth as separate ballot questions at the first primary, general or municipal election occurring at least three months after the proposed constitutional amendments are passed by the General Assembly which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania.

¹"sensational" in enrolled bill.