

No. 111

AN ACT

HB 2002

Amending the act of June 1, 1956 (P.L.1959, No.657), entitled, as amended, "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the County Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," further providing for the salaries of justices and judges of the various courts, and creating the Commonwealth Compensation Commission and prescribing its powers and duties.

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

Section 1. Sections 2 and 3, act of June 1, 1956 (P.L.1959, No.657), entitled, as amended, "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the County Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," amended January 26, 1966 (1965 P.L.1602, No.565) and by the November 1972 report of the Commonwealth Compensation Commission, are amended to read:

Section 2. The annual salary of the Chief Justice of the Supreme Court shall be [~~\$52,500~~] ~~\$57,500~~, and the annual salary of each of the associate judges of the Supreme Court shall be [~~\$50,000~~] ~~\$55,000~~.

Section 3. The annual salary of the President Judge of the Superior Court shall be [~~\$49,500~~] ~~\$54,500~~ and the annual salary of each of the associate judges of the Superior Court shall be [~~\$48,000~~] ~~\$53,000~~.

Section 2. The act is amended by adding a section to read:

Section 3.1. The annual salary of the President Judge of the Commonwealth Court shall be \$54,500. The annual salary of each of the associate judges of the Commonwealth Court shall be \$53,000.

Section 3. Section 4 of the act, amended January 26, 1966 (1965 P.L.1602, No.565) and by the November 1972 report of the Commonwealth Compensation Commission is amended to read:

Section 4. (a) The annual salary of a president judge of a court of common pleas shall be fixed in accordance with the following schedule:

(1) Allegheny County	[\$42,000] \$47,000
(2) Philadelphia	[42,500] 47,500
(3) Dauphin County	[41,000] 46,000

- (4) Judicial Districts having six more judges and a population in excess of one hundred fifty thousand [41,000] 46,000
 - (5) Judicial Districts having three to five judges [40,500] 45,500
 - (6) Judicial Districts having one or two judges [40,000] 45,000
 - (7) Administrative Judges of the Divisions of Common Pleas Court:
 - (i) Philadelphia, divisions of six or more judges [41,000] 46,000
 - (ii) Philadelphia, divisions of five or less judges [40,500] 45,500
 - (8) President Judges of Divisions of Common Pleas Court of Allegheny County:
 - (i) Divisions of six or more judges. [41,000] 46,000
 - (ii) Divisions of five or less judges. [40,500] 45,500
- (b) The associate judges of the courts of common pleas shall be paid an annual salary of **[\$40,000] \$45,000**.

Section 4. The act is amended by adding sections to read:

Section 4.1. The President Judge of the Philadelphia Municipal Court shall receive an annual salary of forty-one thousand five hundred dollars (\$41,500). The annual salary of associate judges of the Philadelphia Municipal Court shall be forty thousand dollars (\$40,000) for members of the bar and twenty-one thousand dollars (\$21,000) for judges who are not members of the bar.

Section 4.2. The annual salary of the President Judge of the Philadelphia Traffic Court shall be twenty-two thousand dollars (\$22,000). The annual salary of associate judges of the Philadelphia Traffic Court shall be twenty-one thousand dollars (\$21,000).

Section 5. Sections 5, 7, 8 and 9 of the act are repealed.

Section 6. The act is amended by adding a section to read:

Section 14.2. (a) There is hereby established an independent commission to be known as the "Commonwealth Compensation Commission," hereinafter referred to as the "commission," consisting of three members, one of whom shall be appointed by the Governor, one by the President pro tempore of the Senate and one by the Speaker of the House of Representatives. They shall be private citizens, and shall not be eligible for election or appointment to public office during the continuance of their terms. The terms of the persons first appointed shall be for the calendar years 1976 and 1977. Persons thereafter appointed shall serve for a two-year term, which shall coincide with the two calendar years commencing with the year in which the appointment is made.

The commission shall elect one of its members chairman and members of the commission shall be reimbursed for actual and necessary expenses

incurred while performing the duties imposed by this act. In addition, members of the commission shall be paid \$50 per diem for each day such member is engaged upon work of the commission. The commission may retain an executive director and such clerical or secretarial personnel as it may require. The costs and expenses of the commission shall be paid out of funds appropriated to the Governor's Office, the President pro tempore of the Senate and the Speaker of the House, pro rata.

(b) The commission shall make an exhaustive study of the salaries, emoluments, mileage, per diem, travel and other expense allowances and reimbursements of the Governor, the Lieutenant Governor, the cabinet officers, the Auditor General and the State Treasurer, the justices and judges of the Supreme Court, the Superior Court, the Commonwealth Court, the courts of common pleas, the Municipal Court of Philadelphia and the Traffic Court of Philadelphia, and the officers and members of the General Assembly. As soon as is practicable after the effective date of this act for the initial report, and thereafter for subsequent reports no later than 31 days before the commencement of each term of the members of the General Assembly, the commission shall submit to the Governor, the Chief Justice, the President pro tempore of the Senate and the Speaker of the House of Representatives its report establishing such salaries, emoluments, mileage, per diem, travel and other expense allowances.

The initial report shall take effect immediately, unless, within 30 days following the date of submission thereof the General Assembly shall, by concurrent resolution reject the report, in whole or part, or enacts legislation as hereinafter provided in this section. Reports submitted subsequent to the initial report shall take effect and have the force and effect of law at the beginning of the first pay period of the subsequent term of the General Assembly or the date of assumption of office of persons affected thereby after such date, unless within 30 days following the date of submission thereof, the General Assembly shall, by concurrent resolution, reject the said report, in whole or in part, or unless within said period the General Assembly shall enact legislation which establishes a rate of pay or allowance differing from that recommended by said report in whole or in part. That portion of the report which is not inconsistent with the resolution or legislation so adopted shall have the force and effect of law as herein provided.

Section 7. The following acts, parts of acts and report are repealed:

(1) Section 2, act of October 17, 1969 (P.L.259, No.105), entitled "An act relating to the Philadelphia Municipal Court."

(2) Section 3, act of October 17, 1969 (P.L.263, No.106), entitled "An act providing for the Traffic Court of Philadelphia."

(3) Section 5, act of January 6, 1970 (1969 P.L.434, No.185), known as "The Commonwealth Court Act."

(4) The November 1972 report of the Commonwealth Compensation Commission is repealed as to the compensation of justices and judges of the various courts.

Section 8. Section 6 of this act shall take effect immediately and shall be applicable to each officer when permitted by the Constitution of the Commonwealth of Pennsylvania; the remainder of this act shall take effect July 1, 1976.

APPROVED—The 29th day of June, A. D. 1976.

MILTON J. SHAPP