

No. 1995-51

AN ACT

SB 1074

Amending the act of September 30, 1983 (P.L.160, No.39), entitled "An act establishing salaries and compensation of certain public officials including justices and judges of Statewide courts, judges of courts of common pleas, judges of the Philadelphia Municipal Court, judges of the Philadelphia Traffic Court, district justices and the Governor, the Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and certain other State officers and the salary and certain expenses of the members of the General Assembly; and repealing certain inconsistent acts," further providing for compensation of justices and judges of Statewide courts, judges of courts of common pleas, judges of the Philadelphia Municipal Court, judges of the Philadelphia Traffic Court, district justices and the Governor, the Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and certain other State officers and the salary and certain expenses of the members of the General Assembly; and making a repeal.

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

Section 1. The act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, is amended by adding a section to read:
Section 2.1. Judicial salaries.

(a) *Supreme Court.*—*The annual salary of the Chief Justice of the Supreme Court shall be \$123,000, and the annual salary of each of the other justices of the Supreme Court shall be \$119,750.*

(b) *Superior Court.*—*The annual salary of the President Judge of the Superior Court shall be \$117,750, and the annual salary of the other judges of the Superior Court shall be \$116,000.*

(c) *Commonwealth Court.*—*The annual salary of the President Judge of the Commonwealth Court shall be \$117,750. The annual salary of each of the other judges of the Commonwealth Court shall be \$116,000.*

(d) *Courts of common pleas.*—

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

(i) *Allegheny County, \$106,000.*

(ii) *Philadelphia County, \$106,500.*

(iii) *Judicial districts having six or more judges, \$105,000.*

(iv) *Judicial districts having three to five judges, \$104,500.*

(v) *Judicial districts having one or two judges, \$104,000.*

(vi) *Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$105,000.*

(vii) *Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$104,500.*

(viii) *Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$105,000.*

(ix) *Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$104,500.*

(2) *The other judges of the courts of common pleas shall be paid an annual salary of \$104,000.*

(e) *Philadelphia Municipal Court.—The President Judge of the Philadelphia Municipal Court shall receive an annual salary of \$103,000. The annual salary for the other judges of the Philadelphia Municipal Court shall be \$101,250.*

(f) *Philadelphia Traffic Court.—The President Judge of the Philadelphia Traffic Court shall receive an annual salary of \$55,000. The annual salary for the other judges of the Philadelphia Traffic Court shall be \$54,500.*

(g) *District justices.—A district justice shall receive an annual salary payable by the Commonwealth of \$51,500.*

(h) *Senior judges.—The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$315 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.*

(i) *Annual cost-of-living adjustment.—Beginning January 1, 1997, and each January 1 thereafter, the annual salaries under subsections (a) through (h) shall be increased by the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect. The percentage increase and salary amounts shall be determined prior to the annual effective date of the adjustment by the Supreme Court and shall be published in the Pennsylvania Bulletin by the Court Administrator of Pennsylvania within 20 days of the date the determination is made.*

Section 2. Section 3 of the act, amended June 23, 1993 (P.L.132, No.30), is amended to read:

Section 3. Compensation of Governor and Lieutenant Governor; State Treasurer; Auditor General; Attorney General; Commissioners of the Pennsylvania Public Utility Commission; and heads of departments.

(a) The Governor, the Lieutenant Governor and Cabinet.—The annual salaries of the Governor, the Lieutenant Governor and the heads of the departments shall be as follows: Governor, [**\$105,000**] **\$125,000**; Lieutenant Governor, [**\$83,000**] **\$105,000**; Adjutant General, [**\$72,000**] **\$90,000**; Secretary of Aging, [**\$76,000**] **\$95,000**; Secretary of Agriculture, [**\$72,000**] **\$90,000**; Secretary of Banking, [**\$72,000**] **\$90,000**; Secretary of Commerce, [**\$76,000**] **\$95,000**; Secretary of the Commonwealth, [**\$72,000**] **\$90,000**; Secretary of Community Affairs, [**\$72,000**] **\$90,000**; Secretary of Education, [**\$80,000**] **\$100,000**; Secretary of Environmental [**Resources**, **\$80,000**] **Protection**, **\$100,000**; Secretary of General Services, [**\$76,000**] **\$95,000**; Secretary of Health, [**\$80,000**] **\$100,000**; Insurance Commissioner, [**\$72,000**] **\$90,000**; Secretary of Labor and Industry, [**\$80,000**] **\$100,000**; Secretary of Public Welfare, [**\$80,000**] **\$100,000**; Secretary of Revenue, [**\$76,000**] **\$95,000**; State Police Commissioner, [**\$76,000**] **\$95,000**; Secretary of Transportation, [**\$80,000.**] **\$100,000**; *Secretary of Corrections*, **\$100,000**; *Secretary of Conservation and Natural Resources* **\$95,000**.

(b) Compensation of State Treasurer, Auditor General and Attorney General.—The annual salaries of the State Treasurer, Auditor General and Attorney General shall be as follows: State Treasurer, [**\$84,000**] **\$104,000**; Auditor General, [**\$84,000**] **\$104,000**; Attorney General, [**\$84,000**] **\$104,000**.

(b.1) Compensation of members of boards and commission.—The annual salaries of the members of boards and commission shall be as follows: member of the Liquor Control Board, \$48,800; Chairman of the Liquor Control Board, \$50,800; member of the Civil Service Commission, \$40,625; Chairman of the Civil Service Commission, \$40,625; member of the State Tax Equalization Board, \$16,250; Chairman of the State Tax Equalization Board, \$17,500; member of Milk Marketing Board, \$15,625; Chairman of Milk Marketing Board, \$16,250; member of the Securities Commission, \$15,000; Chairman of the Securities Commission, \$16,250; member of the Athletic Commission, \$12,500; Chairman of the Athletic Commission, \$13,125; member of the Board of Pardons, \$11,500; Chairman of the Board of Claims, \$84,800; member of the Board of Claims, \$80,800.

(c) Additional compensation prohibited.—Neither the Governor, Lieutenant Governor, State Treasurer, Auditor General or Attorney General nor the head of any administrative department *nor member of any board or commission referenced herein*, shall receive any additional compensation for any services rendered to the Commonwealth in any capacity.

(d) Compensation of commissioners of the Pennsylvania Public Utility Commission.—Each of the commissioners of the Pennsylvania Public Utility Commission shall receive an annual salary commensurate with the annual

salary received by the Secretary of Commerce, except the chairman, who shall receive an additional \$2,500 per year. [Notwithstanding the provisions of section 3(g) of the act of July 13, 1988 (P.L.530, No.94), known as the Environmental Hearing Board Act, to the contrary, no member of the Environmental Hearing Board shall be entitled to any increase in or additional compensation as a result of the provisions of this subsection.]

(e) Annual cost-of-living adjustment.—Beginning January 1, 1997, and each January 1 thereafter, the stated annual salaries of the Governor and Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and the heads of the departments and members of boards and commissions denoted herein shall be increased by an annual cost-of-living increase calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect, to the then current salary amounts authorized. The percentage increase and the salary amounts shall be determined by the Governor prior to the annual effective date of the adjustment and shall be published by the Secretary of the Budget in the Pennsylvania Bulletin within ten days of the date the determination is made.

Section 3. Section 4 of the act is amended by adding subsections to read:
Section 4. Members of the General Assembly.

* * *

(c) First annual cost-of-living adjustment for members.—For the 12-month period beginning December 1, 1996, through November 30, 1997, the salary of the members of the General Assembly shall be increased by a cost-of-living factor which shall be determined by increasing the amounts contained in subsection (a) by the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from July 1, 1990, through October 31, 1996. The percentage increase and the new salary amounts shall be determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives and published by them in the Pennsylvania Bulletin within 20 days immediately prior to the cost-of-living increase taking effect.

(c.1) First annual cost-of-living adjustment for officers and leaders.—For the 12-month period beginning December 1, 1996, through November 30, 1997, the additional compensation of the officers and leaders of the General Assembly shall be increased by a cost-of-living factor which shall be determined by increasing the amounts contained in subsection (b) by the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and

Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from July 1, 1990, through October 31, 1996. The percentage increase and the new compensation amounts shall be determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives and published by them in the Pennsylvania Bulletin on or before November 30 immediately prior to the cost-of-living increase taking effect.

(d) Subsequent annual cost-of-living adjustment for members.—For the 12-month period beginning December 1, 1997, through November 30, 1998, and for each like 12-month period thereafter, the salary of the members of the General Assembly shall be increased by an annual cost-of-living adjustment calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect, to the then current salary amounts. The percentage increase and the new salary amounts shall be determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives prior to the annual effective date of the adjustment and shall be published by them in the Pennsylvania Bulletin within ten days of the date such determination is made.

(d.1) Subsequent annual cost-of-living adjustment for officers and leaders.—For the 12-month period beginning December 1, 1997, through November 30, 1998, and for each like 12-month period thereafter, the additional compensation of the officers and leaders of the General Assembly shall be increased by an annual cost-of-living adjustment calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect, to the then current compensation. The percentage increase and the new compensation amounts shall be determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives prior to the annual effective date of the adjustment and shall be published in the Pennsylvania Bulletin within 20 days immediately prior to each cost-of-living increase taking effect.

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

Section 5.2. Additional expenses for members of the General Assembly.

(a) Members expense allowance.—For the period commencing November 1, 1995, and ending November 30, 1996, members of the General Assembly shall receive, in addition to any allowance for clerical assistance and other expenses, an unvouchered expense allowance of \$733 per month which shall be paid monthly.

(b) Senate officers and leaders expense allowance.—For the period commencing November 1, 1995, and ending November 30, 1996, the following officers and leaders of the Senate shall receive, in addition to any allowance for clerical assistance and other expenses, an unvouchered expense allowance in the following amounts which shall be paid monthly: President pro tempore, \$411; Majority Leader, \$329; Minority Leader, \$329; Majority Whip, \$250; Minority Whip, \$250; Majority Caucus Chairman, \$156; Minority Caucus Chairman, \$156; Appropriations Chairman, \$250; Minority Appropriations Chairman, \$250; Majority Caucus Secretary, \$103; Minority Caucus Secretary, \$103; Majority Policy Chairman, \$103; Minority Policy Chairman, \$103; Majority Caucus Administrator, \$103; Minority Caucus Administrator, \$103.

(c) House officers and leaders expense allowance.—For the period commencing November 1, 1995, and ending November 30, 1996, the following officers and leaders of the House of Representatives shall receive, in addition to any allowance for clerical assistance and other expenses, an unvouchered expense allowance in the following amounts which shall be paid monthly: Speaker of the House of Representatives, \$411; Majority Leader, \$329; Minority Leader, \$329; Majority Whip, \$250; Minority Whip, \$250; Majority Caucus Chairman, \$156; Minority Caucus Chairman, \$156; Appropriations Chairman, \$250; Minority Appropriations Chairman, \$250; Majority Caucus Secretary, \$103; Minority Caucus Secretary, \$103; Majority Policy Chairman, \$103; Minority Policy Chairman, \$103; Majority Caucus Administrator, \$103; Minority Caucus Administrator, \$103.

(d) Senators expense allowance 1996-1997.—Senators elected at the General Election of 1994 shall receive for the 12-month period beginning December 1, 1996, and ending November 30, 1997, in addition to any allowance for clerical assistance and other expenses, an annual unvouchered expense allowance of \$8,800 increased by the dollar amount that the increase calculated pursuant to section 4(c) exceeds \$8,800, which shall be paid on a pro rata basis monthly.

(d.1) Senators expense allowance 1997-1998.—Senators elected at the General Election of 1994 shall receive for the 12-month period beginning December 1, 1997, and ending November 30, 1998, in addition to any allowance for clerical assistance and other expenses, an annual unvouchered expense allowance in the amount determined in subsection (d) increased by the dollar amount of the increase calculated pursuant to section 4(d) for the 12-month period beginning December 1, 1997, and ending November 30, 1998, which shall be paid pro rata on a monthly basis.

(e) Senate officers and leaders expense allowance 1996-1997.—Senators elected in the General Election of 1994 who are also officers or leaders of the Senate shall receive in addition to any allowance for clerical assistance and other expenses in conjunction with their positions as officers and leaders for the 12-month period beginning December 1, 1996, and ending

November 30, 1997, an annual unvouchered expense allowance in the following adjusted amounts: President pro tempore, \$4,931; Majority Leader, \$3,945; Minority Leader, \$3,945; Majority Whip, \$2,994; Minority Whip, \$2,994; Majority Caucus Chairman, \$1,867; Minority Caucus Chairman, \$1,867; Appropriations Chairman, \$2,994; Minority Appropriations Chairman, \$2,994; Majority Caucus Secretary, \$1,233; Minority Caucus Secretary, \$1,233; Majority Policy Chairman, \$1,233; Minority Policy Chairman, \$1,233; Majority Caucus Administrator, \$1,233; Minority Caucus Administrator, \$1,233; which amounts shall be increased respectively by the dollar amount that the amount calculated pursuant to section 4(c.1) for each officer or leader exceeds the respective amounts above, which shall be paid on a pro rata basis monthly.

(e.1) Senate officers and leaders expense allowance 1997-1998.—Senators elected in the General Election of 1994 who are also officers or leaders of the Senate shall receive in addition to any allowance for clerical assistance and other expenses in conjunction with their positions as officers and leaders for the 12-month period beginning December 1, 1997, and ending November 30, 1998, an annual unvouchered expense allowance in the amount determined in subsection (e) increased by the dollar amount of the increase calculated pursuant to section 4(d.1) for the 12-month period beginning December 1, 1997, and ending November 30, 1998, which shall be paid on a pro rata basis monthly.

(f) Expiration.—This section shall expire November 30, 1998.

Section 5. The following acts and parts of acts are repealed:

The last sentence of section 301 of the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, 42 Pa.C.S. § 3581.

Section 6. It is the intent of the General Assembly that it would not have enacted any of the provisions of this act without all other provisions of the act and that all of the provisions are essentially and inseparably connected with each other. Accordingly, the provisions of this act shall be nonseverable, and, if any provision of this act or its application to any person or circumstance is held invalid, the remaining provisions or applications of this act are void.

Section 7. This act shall take effect as follows:

(1) The amendment of section 3 of the act shall take effect immediately and shall be applicable as constitutionally permissible.

(2) The amendment of section 4 of the act shall take effect immediately and be applicable as constitutionally permissible.

(3) The addition of section 5.2 of the act shall take effect November 1, 1995.

(4) The remainder of this act shall take effect November 1, 1995.

APPROVED—The 19th day of October, A.D. 1995.

THOMAS J. RIDGE