PROPOSED AMENDMENT TO THE CONSTITUTION OF PENNSYLVANIA

The following is a true and correct copy of a joint resolution of the General Assembly of Pennsylvania proposing an amendment to the Constitution of Pennsylvania. Consistent with the procedures prescribed by Article XI, Section 1 of the Constitution, the General Assembly first proposed the amendment during the 2013 session and approved it for a second time during the 2015 session of the legislature. As required by Article XI, Section 1 of the Constitution and statutory law, the Secretary of the Commonwealth caused the proposed amendment to be advertised in 2014 and 2016.

Pursuant to the original joint resolutions, the proposed amendment was to be submitted to the electors of Pennsylvania at the General Primary to be held on April 26, 2016. However, on April 12, 2016, the General Assembly passed H.R. 783, a concurrent resolution that directed the Secretary of the Commonwealth to remove the proposed amendment from the General Primary ballot and to place the proposed amendment on the General Election ballot in November 2016.

The Secretary of the Commonwealth, therefore, has once again caused the proposed amendment to be published here, in anticipation of the General Election. In accordance with the mandate of H.R. 783, the Secretary of the Commonwealth will submit the proposed amendment to the electors of Pennsylvania in the form of a ballot question at the General Election to be held on November 8, 2016. If a ballot question is approved by a majority of electors voting on it, the corresponding amendment becomes part of the Constitution.

Those parts of the joint resolution that appear in BOLD PRINT are the words of the Constitution that are proposed by the General Assembly for addition or deletion. If an amendment were approved, the words UNDERLINED would be added to the Constitution and the words in BRACKETS (e.g., [Constitution]) would be deleted. The unbolded words would remain unchanged in the Constitution.

Following the proposed amendment is the text of the question that will be placed on the ballot. Below the question is a “Plain English Statement” prepared by the Office of Attorney General, and published as required by law, indicating the purpose, limitations and effects of the ballot question upon the people of this Commonwealth.

Anyone who needs help reading this advertisement or who needs the text of the proposed amendment in an alternative format may call or write the Pennsylvania Department of State, Bureau of Commissions, Elections and Legislation, Room 210 North Office Building, Harrisburg, PA 17120, (717) 787-5280, ra-BCEL@pa.gov.

Pedro A. Cortés, Secretary of the Commonwealth

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PROPOSED CONSTITUTIONAL AMENDMENT

AMENDING THE MANDATORY JUDICIAL RETIREMENT AGE

Ballot Question

Shall the Pennsylvania Constitution be amended to require that justices of the Supreme Court, judges, and magisterial district judges be retired on the last day of the calendar year in which they attain the age of 75 years?

Plain English Statement of the Office of Attorney General

The purpose of the ballot question is to amend the Pennsylvania Constitution to require that justices, judges and justices of the peace (known as magisterial district judges) be retired on the last day of the calendar year in which they attain the age of 75 years.

Presently, the Pennsylvania Constitution provides that justices, judges and justices of the peace be retired on the last day of the calendar year in which they attain the age of 70 years. Justices of the peace are currently referred to as magisterial district judges.

If the ballot question were to be approved, justices, judges and magisterial district judges would be retired on the last day of the calendar year in which they attain the age of 75 years rather than the last day of the calendar year in which they attain the age of 70 years.

This amendment to the mandatory retirement age would be applicable to all judges and justices in the Commonwealth, including the justices of the Pennsylvania Supreme Court, judges of the Commonwealth Court, Superior Court, county courts of common pleas, community courts, municipal courts in the City of Philadelphia, and magisterial district judges.

The ballot question is limited in that it would not amend any other provisions of the Pennsylvania Constitution related to the qualification, election, tenure, or compensation of the justices, judges or magisterial district judges.

The effect of the ballot question would be to allow all justices, judges, and magisterial district judges to remain in office until the last day of the calendar year in which they attain the age of 75 years. This would permit all justices, judges, and magisterial district judges to serve an additional five years beyond the current required retirement age.

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PAID FOR WITH PENNSYLVANIA TAXPAYER DOLLARS. THIS ADVERTISEMENT IS FUNDED IN WHOLE BY THE GENERAL FUND.