

Section 3. This act shall not apply to any existing or proposed building, or extension thereof, used or to be used by public service corporations, if upon petition of the corporation, the Public Service Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

Application of act to public service corporations.

Public Service Commission.

APPROVED—The 3d day of April, A. D. 1923.

GIFFORD PINCHOT.

No. 34.

AN ACT

To amend section one of the act, approved the seventh day of July, one thousand nine hundred and thirteen (Pamphlet Laws, six hundred and ninety-three), entitled "An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon, as provided by Article eighteen, section one, of the Constitution."

Section 1. Be it enacted, &c., That section one of the act, approved the seventh day of July, one thousand nine hundred and thirteen (Pamphlet Laws, six hundred and ninety-three), entitled "An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon, as provided by Article eighteen, section one, of the Constitution," is hereby amended to read as follows:—

Constitutional amendments.

Section 1, act of July 7, 1913 (P. L. 693), amended.

Section 1. Be it enacted, &c., That, unless the General Assembly shall prescribe otherwise with respect to any particular proposed amendment or amendments, the manner and time of submitting to the qualified electors of the State any proposed amendment or amendments to the Constitution for the purpose of ascertaining whether the same shall be approved by a majority of those voting thereon, the said amendment or amendments heretofore, or which may hereafter be proposed, and which have not been submitted to the qualified electors of the State, shall be submitted to the qualified electors of the State for the purpose aforesaid at *either the municipal or general* [regular November] election, occurring at least three months after the date upon which such proposed amendment or amendments shall have been agreed to for the second time by a majority of the members elected to each house of the General Assem-

Submission of proposed amendments to vote.

Municipal or general election.

Time and manner of holding. bly, as provided in Article eighteen, section one, of the Constitution. Said election shall be opened, held and closed, upon said election day in the manner and within the hours at and within which the said election is directed to be opened, held and closed, and in accordance with the provisions of the election laws of the Commonwealth of Pennsylvania, and the amendments thereof, and supplements thereto. Such proposed amendment or amendments to the Constitution shall be so printed in full upon the ballots, and followed by the words "Yes" and "No," as to give each voter a clear opportunity to express his approval or disapproval of said proposed amendment or amendments, by a cross mark (X) in a square of sufficient size at the right of the words "Yes" or "No."

If not submitted at municipal, shall be at succeeding general election.

*If for any reason, whatsoever, it appears that any such proposed amendment or amendments cannot be, or were not legally, submitted to the qualified electors of the State at the municipal election occurring at least three months after the date upon which such proposed amendment or amendments have been agreed upon for a second time by the members of the General Assembly, such amendment or amendments shall not be held to fail, but the same shall be submitted, or again be re-submitted, to the qualified electors for their approval in the manner herein provided at the next succeeding general election.*

Act as construed.

*The provisions of this act are severable, and, if any of its provisions are held to be unconstitutional, such decision shall not affect or impair the remaining provisions of this act. It is hereby declared as a legislative intent that this act would have been passed had such unconstitutional provision not been included therein.*

Intent of act.

APPROVED—The 3d day of April, A. D. 1923.

GIFFORD PINCHOT.