

(This Joint Resolution No. 2 was passed at the Legislative Session of 1977 and was approved by the electorate on November 8, 1977.)

No. 1977-2

A JOINT RESOLUTION

HB 304

Proposing an emergency Constitutional amendment to the Constitution of the Commonwealth of Pennsylvania providing that special emergency legislation may be enacted when Federal emergency or disaster assistance is available.

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

Section 1. Many Pennsylvanians have suffered greatly from the ravages of Great Storms and Floods in recent years. The Great Storms or Floods of 1974, 1975, 1976 and 1977 were additional major disasters causing loss of life and great damage and destruction to property of individuals, industrial and commercial establishments and public facilities.

It is imperative that the victims of these disasters receive the fullest possible aid from both the Federal Government and the Commonwealth in order to accomplish a speedy recovery.

The Congress of the United States, through enactment of the Disaster Relief Act of 1974, Public Law 93-288, has authorized the making of certain disaster relief grants. The General Assembly wishes to make such Federal disaster relief grants, or other grants made available from Federal programs hereafter enacted, available to eligible individuals and families in order to alleviate the deprivation caused by storms or floods which have occurred in the past and seeks to address those emergencies of future years. However, the General Assembly is limited by rigid restrictions in the Constitution of the Commonwealth of Pennsylvania. The safety and welfare of the Commonwealth requires the prompt amendment to the Constitution to aid those already inflicted by the Great Storms of 1976 or 1977 and any future emergency that may strike Commonwealth citizens.

Therefore, the following amendment to the Constitution of the Commonwealth of Pennsylvania is proposed in accordance with the emergency provisions of Article XI thereof:

That section 17 of Article VIII be amended to read:

ARTICLE VIII TAXATION AND FINANCE

§ 17. Special emergency legislation.

(a) Notwithstanding any provisions of this Constitution to the contrary, the General Assembly shall have the authority to enact laws providing for tax rebates, credits, exemptions, grants-in-aid, State supplementations, or otherwise provide special provisions for individuals,

corporations, associations or nonprofit institutions, including nonpublic schools (whether sectarian or nonsectarian) in order to alleviate the danger, damage, suffering or hardship faced by such individuals, corporations, associations, institutions or nonpublic schools as a result of Great Storms or Floods of September 1971, of June 1972, or of 1974, or of 1975 *or of 1976.*

(b) Notwithstanding the provisions of Article III, section 29 subsequent to a Presidential declaration of an emergency or of a major disaster in any part of this Commonwealth, the General Assembly shall have the authority by a vote of two-thirds of all members elected to each House to make appropriations limited to moneys required for Federal emergency or major disaster relief. This subsection may apply retroactively to any Presidential declaration of an emergency or of a major disaster in 1976 or 1977.

Section 2. This proposed amendment shall be submitted by the Secretary of the Commonwealth to the qualified electors of the State, at the primary election or election next held after the advertising requirements of Article XI, section 1(a) of the Constitution of the Commonwealth of Pennsylvania has been satisfied.