

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 202

Session of 1981

INTRODUCED BY WILSON AND KOLTER, JANUARY 26, 1981

SENATOR HOWARD, FINANCE, IN SENATE, AS AMENDED, JUNE 2, 1982

A JOINT RESOLUTION

1 ~~Proposing amendments to the Constitution of the Commonwealth of~~ <—
2 ~~Pennsylvania, authorizing the General Assembly to increase~~
3 ~~certain retirement benefits or pensions and further providing~~
4 ~~for the disposition of taxes on aviation fuel.~~

5 PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE COMMONWEALTH <—
6 OF PENNSYLVANIA, AUTHORIZING SPECIAL TAX PROVISIONS FOR
7 TAXPAYERS IN CERTAIN AREAS.

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

10 ~~Section 1. The following amendments to the Constitution of~~ <—
11 ~~the Commonwealth of Pennsylvania are proposed in accordance with~~
12 ~~the provisions of Article XI thereof:~~

13 ~~(1) That section 26, Article III be amended to read:~~
14 ~~§ 26. Extra compensation prohibited; claims against the~~
15 ~~Commonwealth; retirement benefits or pensions.~~

16 ~~No bill shall be passed giving any extra compensation to any~~
17 ~~public officer, servant, employee, agent or contractor, after~~
18 ~~services shall have been rendered or contract made, nor~~
19 ~~providing for the payment of any claim against the Commonwealth~~

1 ~~without previous authority of law: Provided, however, That~~
2 ~~nothing in this Constitution shall be construed to prohibit the~~
3 ~~General Assembly from authorizing the increase of retirement~~
4 ~~{allowances} benefits or pensions payable to members or~~
5 ~~beneficiaries who are spouses of members of a retirement or~~
6 ~~pension system now in effect or hereafter legally constituted by~~
7 ~~the Commonwealth, its political subdivisions, agencies or~~
8 ~~instrumentalities, after the termination of the services of said~~
9 ~~member, provided such increases are certified to be actuarially~~
10 ~~sound.~~

11 ~~(2) That section 11, Article VIII be amended to read:~~

12 ~~§ 11. Gasoline taxes and motor license fees restricted.~~

13 ~~(a) All proceeds from gasoline and other motor fuel excise~~
14 ~~taxes, motor vehicle registration fees and license taxes,~~
15 ~~operators' license fees and other excise taxes imposed on~~
16 ~~products used in motor transportation after providing therefrom~~
17 ~~for (a) cost of administration and collection, (b) payment of~~
18 ~~obligations incurred in the construction and reconstruction of~~
19 ~~public highways and bridges shall be appropriated by the General~~
20 ~~Assembly to agencies of the State or political subdivisions~~
21 ~~thereof; and used solely for construction, reconstruction,~~
22 ~~maintenance and repair of and safety on public highways and~~
23 ~~bridges [and air navigation facilities] and costs and expenses~~
24 ~~incident thereto, and for the payment of obligations incurred~~
25 ~~for such purposes, and shall not be diverted by transfer or~~
26 ~~otherwise to any other purpose, except that loans may be made by~~
27 ~~the State from the proceeds of such taxes and fees for a single~~
28 ~~period not exceeding eight months, but no such loan shall be~~
29 ~~made within the period of one year from any preceding loan, and~~
30 ~~every loan made in any fiscal year shall be repayable within one~~

1 ~~month after the beginning of the next fiscal year.~~

2 ~~(b) All proceeds from aviation fuel excise taxes, after~~
3 ~~providing therefrom for the cost of administration and~~
4 ~~collection, shall be appropriated by the General Assembly to~~
5 ~~agencies of the State or political subdivisions thereof and used~~
6 ~~solely for: the purchase, construction, reconstruction,~~
7 ~~operation, and maintenance of airports and other air navigation~~
8 ~~facilities; aircraft accident investigation; the operation,~~
9 ~~maintenance and other costs of aircraft owned or leased by the~~
10 ~~Commonwealth; any other purpose reasonably related to air~~
11 ~~navigation including but not limited to the reimbursement of~~
12 ~~airport property owners for property tax expenditures; and costs~~
13 ~~and expenses incident thereto and for the payment of obligations~~
14 ~~incurred for such purposes, and shall not be diverted by~~
15 ~~transfer or otherwise to any other purpose.~~

16 ~~Section 2. The amendments proposed in clauses (1) and (2) of~~
17 ~~section 1 shall be submitted separately by the Secretary of the~~
18 ~~Commonwealth to the qualified electors of the State at the~~
19 ~~primary or general election next held after the advertising~~
20 ~~requirements of section 1, Article XI have been satisfied.~~

21 SECTION 1. THE FOLLOWING AMENDMENT TO THE CONSTITUTION OF <—
22 THE COMMONWEALTH OF PENNSYLVANIA IS PROPOSED IN ACCORDANCE WITH
23 THE PROVISIONS OF ARTICLE XI THEREOF:

24 THAT SUBSECTION (B) OF SECTION 2 OF ARTICLE VIII BE AMENDED
25 BY ADDING A CLAUSE TO READ:

26 § 2. EXEMPTIONS AND SPECIAL PROVISIONS.

27 * * *

28 (B) THE GENERAL ASSEMBLY MAY, BY LAW:

29 * * *

30 (V) ESTABLISH STANDARDS AND QUALIFICATIONS BY WHICH LOCAL

1 TAXING AUTHORITIES IN COUNTIES OF THE FIRST AND SECOND CLASS MAY
2 MAKE UNIFORM SPECIAL REAL PROPERTY TAX PROVISIONS APPLICABLE TO
3 TAXPAYERS WHO ARE LONGTIME OWNER-OCCUPANTS AS SHALL BE DEFINED
4 BY THE GENERAL ASSEMBLY OF RESIDENCES IN AREAS WHERE REAL
5 PROPERTY VALUES HAVE RISEN MARKEDLY AS A CONSEQUENCE OF THE
6 REFURBISHING OR RENOVATING OF OTHER DETERIORATING RESIDENCES OR
7 THE CONSTRUCTION OF NEW RESIDENCES.

8 * * *

9 SECTION 2. THIS PROPOSED AMENDMENT SHOULD BE SUBMITTED BY
10 THE SECRETARY OF THE COMMONWEALTH TO THE QUALIFIED ELECTORS OF
11 PENNSYLVANIA AT THE GENERAL ELECTION NEXT HELD AFTER THE
12 ADVERTISING REQUIREMENTS OF SECTION 1, ARTICLE XI, HAVE BEEN
13 SATISFIED.