
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 304

Session of
1977

INTRODUCED BY MESSRS. PETRARCA, STEWART, A. K. HUTCHINSON,
LAUDADIO, LIVENGOOD AND REED, FEBRUARY 9, 1977

AS AMENDED ON THIRD CONSIDERATION, JULY 27, 1977

A JOINT RESOLUTION

1 Proposing an emergency Constitutional amendment to the
2 Constitution of the Commonwealth of Pennsylvania ~~granting the~~ <—
3 ~~General Assembly the power to enact special laws to aid~~
4 ~~certain individuals, corporations, associations, institutions~~
5 ~~or nonpublic schools adversely affected by conditions caused~~
6 ~~by certain storms or floods.~~ PROVIDING THAT SPECIAL EMERGENCY <—
7 LEGISLATION MAY BE ENACTED WHEN FEDERAL EMERGENCY OR DISASTER
8 ASSISTANCE IS AVAILABLE.

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

11 Section 1. Many Pennsylvanians have suffered greatly from
12 the ravages of great storms and floods in recent years. The
13 great storms or floods of 1974, 1975, ~~and 1976~~ 1976 AND 1977 <—
14 were additional major disasters causing loss of life and great
15 damage and destruction to property of individuals, industrial
16 and commercial establishments and public facilities.

17 ~~Further, due to an extreme winter with especially heavy~~ <—
18 ~~snowfall throughout much of the Commonwealth the probability of~~
19 ~~flooding this spring threatens.~~

20 It is imperative that the victims of these disasters receive

1 the fullest possible aid from both the Federal Government and
2 the Commonwealth in order to accomplish a speedy recovery.

3 ~~The General Assembly desires to alleviate such storm or~~ <—
4 ~~economic deprivation caused by the floods in past years and~~

5 THE CONGRESS OF THE UNITED STATES, THROUGH ENACTMENT OF THE <—
6 DISASTER RELIEF ACT OF 1974, PUBLIC LAW 93-288, HAS AUTHORIZED
7 THE MAKING OF CERTAIN DISASTER RELIEF GRANTS. THE GENERAL
8 ASSEMBLY WISHES TO MAKE SUCH FEDERAL DISASTER RELIEF GRANTS, OR
9 OTHER GRANTS MADE AVAILABLE FROM FEDERAL PROGRAMS HEREAFTER
10 ENACTED, AVAILABLE TO ELIGIBLE INDIVIDUALS AND FAMILIES IN ORDER
11 TO ALLEVIATE THE DEPRIVATION CAUSED BY STORMS OR FLOODS WHICH
12 HAVE OCCURRED IN THE PAST AND seeks to address those emergencies
13 of future years. However, the General Assembly is limited by
14 rigid restrictions in the Constitution of the Commonwealth of
15 Pennsylvania. The safety and welfare of the Commonwealth
16 requires the prompt amendment to the Constitution to aid those
17 already inflicted by the great ~~storm~~ STORMS of 1976 OR 1977 and <—
18 any future emergency that may strike Commonwealth citizens.

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

22 That section 17 of Article VIII be amended to read:

23 ARTICLE VIII

24 TAXATION AND FINANCE

25 § 17. Special Emergency Legislation.

26 (A) Notwithstanding any provisions of this Constitution to <—
27 the contrary, the General Assembly shall have the authority to
28 enact laws providing for tax rebates, credits, exemptions,
29 grants-in-aid, State supplementations, or otherwise provide
30 special provisions for individuals, corporations, associations

1 or nonprofit institutions, including nonpublic schools (whether
2 sectarian or nonsectarian) in order to alleviate the danger,
3 damage, suffering or hardship faced by such individuals,
4 corporations, associations, institutions or nonpublic schools as
5 a result of Great Storms or Floods of September 1971, of June
6 1972, or of 1974, or of 1975 ~~or of 1976, or of 1977, or the~~ <—
7 ~~emergencies occurring as a result of the energy crisis of 1976—~~
8 ~~1977.~~ OR OF 1976. <—

9 ~~(B) NOTWITHSTANDING ANY PROVISION OF THIS CONSTITUTION TO~~ <—
10 ~~THE CONTRARY,~~ THE PROVISIONS OF ARTICLE III, SECTION 29
11 SUBSEQUENT TO A PRESIDENTIAL DECLARATION OF AN EMERGENCY OR OF A
12 MAJOR DISASTER IN ANY PART OF THIS COMMONWEALTH, THE GENERAL
13 ASSEMBLY SHALL HAVE THE AUTHORITY BY A VOTE OF TWO-THIRDS OF ALL <—
14 MEMBERS ELECTED TO EACH HOUSE TO MAKE APPROPRIATIONS LIMITED TO
15 MONEYS REQUIRED FOR FEDERAL EMERGENCY OR MAJOR DISASTER RELIEF.
16 THIS SUBSECTION MAY APPLY RETROACTIVELY TO THE GREAT STORMS OR <—
17 FLOODS OF ANY PRESIDENTIAL DECLARATION OF AN EMERGENCY OR OF A
18 MAJOR DISASTER IN 1976 OR 1977.

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