A JOINT RESOLUTION

Proposing an emergency Constitutional amendment to the Constitution of the Commonwealth of Pennsylvania granting the General Assembly the power to enact special laws to aid certain individuals, corporations, associations, institutions or nonpublic schools adversely affected by conditions caused by certain storms, floods, tornades or other future major disasters. BY CERTAIN STORMS OR FLOODS.

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 or floods in the last few years. The great storms, floods or tornades of 1974, 1975 and 1976 are additional major disasters causing loss of life and great damage and destruction to property of individuals, industrial and commercial establishments and public facilities. And no doubt there will be many more major disasters occurring in future years.

It is imperative that the victims of these past, present and future disasters immediately receive the fullest possible aid from both the public and private sectors in order to clean up
and rebuild the affected areas of the Commonwealth and that persons in the Commonwealth be eligible for the maximum available aid from the government of the United States. The General Assembly desires to alleviate such storm or economic deprivation caused by the floods, storms or other future disasters limited in its efforts by rigid restrictions in the Constitution of the Commonwealth of Pennsylvania. The safety and welfare of the Commonwealth requires prompt amendment to the Constitution of the Commonwealth of Pennsylvania.

The following amendment to the Constitution of the Commonwealth of Pennsylvania is proposed in accordance with the emergency provisions contained in subsections (a) and (b) of section 1 of Article XI thereof:

That section 17 of Article VIII be amended to read:

§ 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 or Tornadoes of September 1971, of June, 1972, [or] of 1974, [or] of 1975, or of July 1976 or as a result of major disasters occurring on or after the date this amendment is approved by the electorate.

(b) Whenever the Governor of this Commonwealth finds as a fact and shall officially have proclaimed that a major disaster
has occurred on or after the effective date this amendment is
approved by the electorate, and that as a result thereof
conditions of extreme emergency exist in all or any part of
Pennsylvania of such magnitude or severity as to affect the
health, safety or welfare of a substantial number of citizens of
this Commonwealth or affects public facilities or institutions
or the economy of the business community within this
Commonwealth, then the General Assembly, in its wisdom and
discretion, may exercise the legislative authority provided in
subsection (a).

SCHEDULE

The foregoing amendment to Article VIII shall take effect on
the date of approval thereof by the electorate, and shall be a
permanent part of this Constitution, except that the amendatory
provisions of subsection (a) relating to tornados of July 1976
shall be retroactive to July of 1976, provided, however, that
subsections (a) or (b) relating to future major disasters, shall
be applicable only during that period of time for which the
Governor shall officially have proclaimed that a major disaster
has occurred and that conditions of extreme emergency still
exist. Such conditions shall be deemed to exist only until such
time as the Governor shall officially have proclaimed that they
have ceased to exist at which time any laws enacted pertaining
to such future emergency conditions shall be deemed suspended to
the extent that such are inconsistent or in conflict with any
provision of this Constitution.

Section 2. This proposed amendment shall be submitted by the
Secretary of the Commonwealth to the qualified electors of the
State at the municipal election to be held on November 2, 1977,
after the advertising requirements of subsection (a) of section
1 of Article XI of the Constitution of the Commonwealth of
2 Pennsylvania have been satisfied.

3     SECTION 1. MANY PENNSYLVANIANS HAVE SUFFERED GREATLY FROM
4     THE RAVAGES OF GREAT STORMS AND FLOODS IN RECENT YEARS. THE
5     GREAT STORMS OR FLOODS OF 1974, 1975 AND 1976 WERE ADDITIONAL
6     MAJOR DISASTERS CAUSING LOSS OF LIFE AND GREAT DAMAGE AND
7     DESTRUCTION TO PROPERTY OF INDIVIDUALS, INDUSTRIAL AND
8     COMMERCIAL ESTABLISHMENTS AND PUBLIC FACILITIES.
9     FURTHER, DUE TO AN EXTREME WINTER WITH ESPECIALLY HEAVY
10     SNOWFALL THROUGHOUT MUCH OF THE COMMONWEALTH THE PROBABILITY OF
11     FLOODING THIS SPRING THREATENS.
12     IT IS IMPERATIVE THAT THE VICTIMS OF THESE DISASTERS RECEIVE
13     THE FULLEST POSSIBLE AID FROM BOTH THE FEDERAL GOVERNMENT AND
14     THE COMMONWEALTH IN ORDER TO ACCOMPLISH A SPEEDY RECOVERY.
15     THE GENERAL ASSEMBLY DESIRES TO ALLEVIATE SUCH STORM OR
16     ECONOMIC DEPRIVATION CAUSED BY THE FLOODS IN PAST YEARS AND
17     SEeks TO ADDRESS THOSE EMERGENCIES OF FUTURE YEARS. HOWEVER, THE
18     GENERAL ASSEMBLY IS LIMITED BY RIGID RESTRICTIONS IN THE
19     CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA. THE SAFETY AND
20     WELFARE OF THE COMMONWEALTH REQUIRES THE PROMPT AMENDMENT TO THE
21     CONSTITUTION TO AID THOSE ALREADY INFLECTED BY THE GREAT STORM
22     OF 1976 AND ANY FUTURE EMERGENCY THAT MAY STRIKE COMMONWEALTH
23     CITIZENS.
24     THEREFORE, THE FOLLOWING AMENDMENT TO THE CONSTITUTION OF THE
25     COMMONWEALTH OF PENNSYLVANIA IS PROPOSED IN ACCORDANCE WITH THE
26     EMERGENCY PROVISIONS OF ARTICLE XI THEREOF:
27     THAT SECTION 17 OF ARTICLE VIII BE AMENDED TO READ:
28     ARTICLE VIII
29     TAXATION AND FINANCE
30     § 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, OR OF 1977, OR THE EMERGENCIES OCCURRING AS A RESULT OF THE ENERGY CRISIS OF 1976-

(b) Notwithstanding any provision of this Constitution to the contrary, subsequent to a Presidential declaration of an emergency or of a major disaster, the General Assembly shall have the authority to make appropriations limited to moneys required for Federal emergency or major disaster relief.

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.