

IN THE NAME AND BY AUTHORITY OF THE

Commonwealth of Pennsylvania



Governor's Office

HARRISBURG

PROCLAMATION

CONSTITUTIONAL AMENDMENT - ARTICLES IV and V

WHEREAS, Joint Resolution No. 1 of the 1975 Session of the General Assembly of Pennsylvania (Senate Bill No. 22, Printer's No. 22) proposed to amend Articles IV and V of the Constitution of Pennsylvania by amending Sections 8 and 9 of Article IV and Section 13 of Article V to provide for the exercise of legislative prerogative in determining the proportion of Senate approval required in the constitutional and statutory exercise of its power of consent to gubernatorial appointments, the said amended sections were to read as follows:

“ARTICLE IV  
THE EXECUTIVE

Section 8. Appointing Power.— (a) The Governor shall appoint an Attorney General, a Secretary of Education and such other officers as he shall be authorized by law to appoint. The appointment of the Attorney General, the Secretary of Education and of such other officers as may be specified by law, shall be subject to the consent of two-thirds or a majority of the members elected to the Senate as is specified by law.

(b) The Governor shall fill vacancies in offices to which he appoints by nominating to the Senate a proper person to fill the vacancy within ninety days of the first day of the vacancy and not thereafter. The Senate shall act on each executive nomination within twenty-five legislative days of its submission. If the Senate has not voted upon a nomination within fifteen legislative days following such submission, any five members of the Senate may, in writing, request the presiding officer of the Senate to place the nomination before the entire Senate body whereby the nomination must be voted upon prior to the expiration of five legislative days or twenty-five legislative days following submission by the Governor, whichever occurs first. If the nomination is made during a recess or after adjournment *sine die*, the Senate shall act upon it within twenty-five legislative days after its return or reconvening. If the Senate for any reason fails to act upon a nomination submitted to it

within the required twenty-five legislative days, the nominee shall take office as if the appointment had been consented to by the Senate. The Governor shall in a similar manner fill vacancies in the offices of Auditor General, State Treasurer, justice, judge, justice of the peace and in any other elective office he is authorized to fill. In the case of a vacancy in an elective office, a person shall be elected to the office on the next election day appropriate to the office unless the first day of the vacancy is within two calendar months immediately preceding the election day in which case the election shall be held on the second succeeding election day appropriate to the office.

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Section 9. Pardonng Power; Board of Pardons.—\* \* \*

(b) The Board of Pardons shall consist of the Lieutenant Governor who shall be chairman, the Attorney General and three members appointed by the Governor with the consent of two-thirds or a majority of the members elected to the Senate, as is specified by law for terms of six years. The three members appointed by the Governor shall be residents of Pennsylvania and shall be recognized leaders in their fields; one shall be a member of the bar, one a penologist, and the third a doctor of medicine, psychiatrist or psychologist. The Board shall keep records of its actions, which shall at all times be open for public inspection.

## ARTICLE V THE JUDICIARY

Section 13. Election of Justices, Judges and Justices of the Peace; Vacancies.—\* \* \*

(b) A vacancy in the office of justice, judge or justice of the peace shall be filled by appointment by the Governor. The appointment shall be with the advice and consent of two-thirds of the members elected to the Senate, except in the case of justices of the peace which shall be by a majority. The person so appointed shall serve for an initial term ending on the first Monday of January following the next municipal election more than ten months after the vacancy occurs."

WHEREAS, The said Joint Resolution was passed by two successive General Assemblies of Pennsylvania, and

WHEREAS, The aforesaid Constitutional Amendment was submitted for approval to the qualified electors of this Commonwealth at an election held on May 20, 1975, and

WHEREAS, The Secretary of the Commonwealth has certified to me that the aforesaid proposed Constitutional Amendment was approved by the electorate on the aforesaid day,

NOW, THEREFORE, I, Milton J. Shapp, Governor of the Commonwealth of Pennsylvania, do proclaim and pronounce that the aforesaid Constitutional Amendment was adopted, on May 20, 1975, by a majority of the electors voting thereon.

GIVEN under my hand and the Great Seal of the State, at the City of Harrisburg, this twenty-second day of September, in the year one thousand nine hundred and seventy-five, and of the Commonwealth the two hundredth.

MILTON J. SHAPP  
Governor

BY THE GOVERNOR:

C. DeLORES TUCKER  
Secretary of the Commonwealth

IN THE NAME AND BY AUTHORITY OF THE

*Commonwealth of Pennsylvania*



Governor's Office

**PROCLAMATION**

**CONSTITUTIONAL AMENDMENT - ARTICLE VIII**

WHEREAS, Joint Resolution No. 2 of the 1975 session of the General Assembly of Pennsylvania (House Bill No. 1762, Printer's No. 2256) proposed to amend Article VIII, Section 17 of the Constitution of Pennsylvania, so that the General Assembly may provide 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 caused by great storms or floods of 1974 or 1975, the said amended section was to read as follows:

**"ARTICLE VIII  
TAXATION AND FINANCE**

Section 17. Special Emergency Legislation.—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 storm or floods of September 1971, of June, 1972 or of 1974, or of 1975."

WHEREAS, The said Joint Resolution was passed, pursuant to Article XI, Section 1, sub-sections (a) and (b) thereof by the General Assembly of Pennsylvania, and

WHEREAS, The aforesaid Constitutional Amendment was submitted for approval to the qualified electors of this Commonwealth at an election held on November 4, 1975, and

WHEREAS, The Secretary of the Commonwealth has certified to me

that the aforesaid proposed Constitutional Amendment was approved by the electorate on the aforesaid day,

NOW, THEREFORE, I, Milton J. Shapp, Governor of the Commonwealth of Pennsylvania, do proclaim and pronounce that the aforesaid Constitutional Amendment was adopted, on November 4, 1975, by a majority of the electors voting thereon.

GIVEN under my hand and the Great Seal of the State, at the City of Harrisburg, this fifth day of February, in the year one thousand nine hundred and seventy-six and of the Commonwealth the two hundredth.

MILTON J. SHAPP  
Governor

BY THE GOVERNOR:

C. DeLORES TUCKER  
Secretary of the Commonwealth

