

(This Joint Resolution No.2 was passed for the first time at the Legislative Session of 1980 as Joint Resolution No.2 and for the second time at the Legislative Session of 1981 and the amendment to section 26 of Article III was disapproved and the amendment to section 11 of Article VIII was approved by the electorate on November 3, 1981)

No. 1981-2

A JOINT RESOLUTION

SB 319

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

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

Section 1. The following amendments to the Constitution of the Commonwealth of Pennsylvania are proposed in accordance with the provisions of Article XI thereof:

(1) That section 26, Article III be amended to read:

§ 26. Extra compensation prohibited; claims against the Commonwealth; *retirement benefits or* pensions.

No bill shall be passed giving any extra compensation to any public officer, servant, employee, agent or contractor, after services shall have been rendered or contract made, nor providing for the payment of any claim against the Commonwealth without previous authority of law: Provided, however, That nothing in this Constitution shall be construed to prohibit the General Assembly from authorizing the increase of retirement [allowances] *benefits or* pensions *payable to members or beneficiaries who are spouses* of members of a retirement or pension system now in effect or hereafter legally constituted by the Commonwealth, its political subdivisions, agencies or instrumentalities, after the termination of the services of said member, *provided such increases are certified to be actuarially sound.*

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

§ 11. Gasoline taxes and motor license fees restricted.

(a) All proceeds from gasoline and other motor fuel excise taxes, motor vehicle registration fees and license taxes, operators' license fees and other excise taxes imposed on products used in motor transportation after providing therefrom for (a) cost of administration and collection, (b) payment of obligations incurred in the construction and reconstruction of public highways and bridges shall be appropriated by the General Assembly to agencies of the State or political subdivisions thereof; and used solely for construction, reconstruction, maintenance and repair of and safety on public highways and bridges [and air navigation facilities] and costs and expenses incident thereto, and for the payment of obligations incurred for such purposes, and shall not be diverted by transfer or

otherwise to any other purpose, except that loans may be made by the State from the proceeds of such taxes and fees for a single period not exceeding eight months, but no such loan shall be made within the period of one year from any preceding loan, and every loan made in any fiscal year shall be repayable within one month after the beginning of the next fiscal year.

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

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