

# Official Notice of Election for Military and Overseas Voters

## County of Northampton

2021 Municipal Primary (May 18, 2021)

This is an official notice of a Primary election to be conducted on 5/18/2021 in Northampton County. You may register to vote and request an official absentee ballot by using the Federal Postcard Application (FPCA), available at [www.votespa.com](http://www.votespa.com) or [www.fvap.gov](http://www.fvap.gov). You may apply for an absentee ballot by submitting your FPCA by fax to (610) 559 - 3736, or by email to [elections@northamptoncounty.org](mailto:elections@northamptoncounty.org)

You may request an absentee ballot from this office at any time prior to a primary or election. However, if time does not permit you to receive and return an official absentee ballot, you are also entitled to vote using the Federal Write-in Absentee Ballot (FWAB). Military electors may also use the FWAB to register to vote and vote simultaneously.

You may use the FWAB to vote for **all** state and local offices, and ballot initiatives.

To vote, refer to page 3 of the FWAB.

To vote for state and local offices or for ballot initiatives, write the names of candidates or ballot initiatives in the Addendum section of the FWAB. Under the **Office/Ballot Initiative** heading, enter the office the candidate is running for or the title of the Ballot Initiative (referendum). Under the **Candidate Name, Party Affiliation or Initiative Vote** heading, list the name of the candidate you wish to vote for, or if you are voting on a Referendum question write "yes" or "no."

### **DEMOCRATIC AND REPUBLICAN BALLOT**

#### **COMMONWEALTH OF PENNSYLVANIA**

- 1 – Judge of the Supreme Court (File in Harrisburg)
- 1 – Judge of the Superior Court (File in Harrisburg)
- 2 – Judge of Commonwealth Court (File in Harrisburg)

#### **NORTHAMPTON COUNTY**

- 1 - County Executive – 4 Year Term
- 5 - County Council – 4 Year Term – At Large

#### **MAGISTERIAL DISTRICT JUDGE** – 6 Year Term – **May Cross File** – (Circulator may be of either party)

100 Republican Signatures \$50.00 if cross filing need 100 Democratic Signatures on separate petitions total to cross-file \$100.00.

- 1 – Magisterial District 03-2-01 (City of Bethlehem Wards 6, 7, 8&9)
- 1 – Magisterial District 03-2-03 (Bethlehem Township)
- 1 – Magisterial District 03-2-09 (Forks Twp., Palmer Twp. & Tatamy Borough)
- 1 – Magisterial District 03-2-10 (City of Bethlehem Wards 1-4)
- 1 - Magisterial District 03-3-01 (Allen Twp., Lehigh Twp., North Catasauqua, Northampton Boro, Walnutport Boro & Moore Twp. Beersville & Klecknersville)

#### **BETHLEHEM AREA SCHOOL DISTRICT**

- 3 – School Director – (At Large) – 4 Year Term
- 1 – School Director – REGION I – (Bethlehem 1N, 1S, 2, 3, 4, 5, 6, 15-3, 16, 17, Freemansburg & parts of Lehigh Co.– 4 Year Term

#### **EASTON AREA SCHOOL DISTRICT**

- 1 – School Director – 4 Year Term – REGION I – (Palmer Twp..)
- 2 – School Director – 4 Year Term – REGION II – (Easton Wards 2, 4, 5, 6, 7, 8E, 8W, 9, 10, 11 & 12)
- 2 – School Directors– 4 Year Term – REGION III – (Easton Ward 3, Forks & Lower Mt. Bethel Lower Independent)

#### **BANGOR AREA SCHOOL DISTRICT**

- (Bangor, East Bangor, Lo Mt Bethel Twp..., Portland, Roseto, Up Mt Bethel Twp.. & Washington Twp..)
- 4 – School Director – At Large – 4 Year Term
- 1 – School Director – At Large – 2 Year Term

**NAZARETH AREA SCHOOL DISTRICT**

- 1 – School Director – 4 Year Term – REGION I – (Bushkill Twp., Tatamy Boro., & portion of Palmer Upper West)
- 2 – School Director – 4 Year Term – REGION II – (Lo Nazareth Twp.. & Upper Nazareth Eastern)
- 2 – School Director – 4 Year Term – REGION III – (Nazareth 1, 2, 3, Stockertown Boro., & Upper Nazareth Western)

**NORTHAMPTON AREA SCHOOL DISTRICT**

- 1 – School Director – 4 Year Term - REGION I – (Lehigh & Allen Twp.)
- 2 – School Director – 4 Year Term - REGION II – (Northampton & East Allen Twp.)
- 1 – School Director – 4 Year Term - REGION III – (Bath, Chapman, & Moore Twp..)

**PEN ARGYL AREA SCHOOL DISTRICT**

- 2 – School Director – 4 Year Term - REGION I – (Pen Argyl Boro.)
- 1 – School Director – 4 Year Term - REGION II – (Plainfield Twp..)
- 1 – School Director – 4 Year Term - REGION III – (Wind Gap Boro.)

**SAUCON VALLEY SCHOOL DISTRICT**

- 4 – School Director – At Large – 4 Year Term - (Hellertown & Lo Saucon Twp..)

**WILSON AREA SCHOOL DISTRICT**

- 1 – School Director – 4 Year Term - REGION I – (1st & 2nd Wards of Wilson)
- 1 – School Director – 2 Year Term - REGION I – (1st & 2nd Wards of Wilson)
- 2 – School Director – 4 Year Term - REGION II – (3rd Ward of Wilson, Glendon, & West Easton)
- 1 – School Director – 4 Year Term - REGION III – (Williams Twp.)

**CATASAUQUA AREA SCHOOL DISTRICT** (Catasauqua Boro. & Hanover Twp..., Lehigh County, & North Catasauqua Boro., Northampton County)  
(North Catasauqua, Catasauqua Boro., Hanover Twp. & Lehigh County) \*must file with Lehigh County

- 4 – School Director – At Large – 4 Year Term

**NORTHERN LEHIGH SCHOOL DISTRICT** (Slatington Boro. & Washington Twp..., Lehigh County; and Walnutport Boro., Northampton County)  
(Walnutport Boro. - Northampton County & Slatington Boro. & Washington Twp. in Lehigh County) \*must file with Lehigh County

- 4 – School Director – At Large – 4 Year Term

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**CITY OF BETHLEHEM**

- 1 – Mayor – 4 Year Term
- 4 – City Council – At Large – 4 Year Term
- 1 – Controller – 4 Year Term
- 1 – Constable Per Wards 1-17 – 6 Year Term

**CITY OF EASTON**

- 1 – City Council –District 1 - 4 Year Term
- 1 – City Council –District 2 - 4 Year Term
- 1 – City Council –District 3 - 4 Year Term
- 1 – Constable Per Wards 2-12 – 6 Year Term

**ALLEN TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Supervisor – 2 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 4 Year Term
- 1 – Auditor – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**BANGOR BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – at Large – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – (Ward 1) – 6 Year Term
- 1 – Constable – (Ward 2) – 6 Year Term
- 1 – Constable – (Ward 3) – 6 Year Term
- 1 – Constable – (Ward 4) – 6 Year Term

**BATH BORO.**

- 1 – Mayor – 4 Year Term
- 3 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**BETHLEHEM TWP.**

- 1 – Commissioners – (Ward 2) – 4 Year Term
- 1 – Commissioners – (Ward 4) – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 2 – Constables at Large – 6 Year Term

**BUSHKILL TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**CHAPMAN BORO.**

- 1 – Mayor – 4 Year Term
- 3 – Council – 4 Year Term
- 1 – Council – 2 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**EAST ALLEN TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 4 Year Term
- 1 – Auditor – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**EAST BANGOR BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**FORKS TWP.**

- 2 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**FREEMANSBURG BORO.**

- 1 – Mayor – 4 Year Term
- 3 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**GLENDON BORO.**

- 1 – Mayor – 4 Year Term
- 2 – Council – 4 Year Term
- 2 – Council – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**HANOVER TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**HELLERTOWN BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – 4 Year Term
- 1 – Constable – 6 Year Term

**LEHIGH TWP.**

- 2 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 4 Year Term
- 1 – Auditor – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**LOWER MT BETHEL TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**LOWER NAZARETH TWP.**

- 2 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**LOWER SAUCON TWP.**

- 2 – Council – 4 Year Term
- 1 – Council – 2 Year Term
- 1 – Constable – 6 Year Term

**MOORE TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**NAZARETH BORO.**

- 1 – Mayor – 4 Year Term
- 1 – Council – (Ward 1) – 4 Year Term
- 1 – Council – (Ward 2) – 4 Year Term
- 1 – Council – (Ward 2) – 2 Year Term
- 2 – Council – (Ward 3) – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – (Ward 1) – 6 Year Term
- 1 – Constable – (Ward 2) – 6 Year Term
- 1 – Constable – (Ward 3) – 6 Year Term

**NORTHAMPTON BORO.**

- 1 – Mayor – 4 Year Term
- 1 – Council – (Ward 1) – 4 Year Term
- 1 – Council – (Ward 2) – 4 Year Term
- 1 – Council – (Ward 3) – 4 Year Term
- 1 – Council – (Ward 4) – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – (Ward 1) – 6 Year Term
- 1 – Constable – (Ward 2) – 6 Year Term
- 1 – Constable – (Ward 3) – 6 Year Term
- 1 – Constable – (Ward 4) – 6 Year Term

**NORTH CATASAUQUA BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**PALMER TWP.**

- 2 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**PEN ARGYL BORO.**

- 1 – Mayor – 4 Year Term
- 1 – Council – (Ward 1) – 4 Year Term
- 1 – Council – (Ward 2) – 4 Year Term
- 1 – Council – (Ward 3) – 4 Year Term
- 1 – Council – (Ward 4) – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – (Ward 1) – 6 Year Term
- 1 – Constable – (Ward 2) – 6 Year Term
- 1 – Constable – (Ward 3) – 6 Year Term
- 1 – Constable – (Ward 4) – 6 Year Term

**PLAINFIELD TWP.**

- 2 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**PORTLAND BORO.**

- 1 – Mayor – 4 Year Term
- 3 – Council – 4 Year Term
- 2 – Council – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**ROSETO BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**STOCKERTOWN BORO.**

- 1 – Mayor – 4 Year Term
- 3 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**TATAMY BORO.**

- 1 – Mayor – 4 Year Term
- 3 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**UPPER MT BETHEL TWP.**

- 2 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**UPPER NAZARETH TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**WALNUTPORT BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**WASHINGTON TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Auditor – 2 Year Term
- 1 – Constable – 6 Year Term

**WEST EASTON BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – 4 Year Term
- 1 – Council – 2 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**WILLIAMS TWP.**

- 1 – Supervisor – 6 Year Term
- 1 – Auditor – 6 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year Term

**WILSON BORO.**

- 1 – Mayor – 4 Year Term
- 1 – Council – (Ward 1) – 4 Year Term
- 2 – Council – (Ward 2) – 4 Year Term
- 1 – Council – (Ward 3) – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – (Ward 1) – 6 Year Term
- 1 – Constable – (Ward 2) – 6 Year Term
- 1 – Constable – (Ward 3) – 6 Year Term

**WIND GAP BORO.**

- 1 – Mayor – 4 Year Term
- 4 – Council – 4 Year Term
- 1 – Tax Collector – 4 Year Term
- 1 – Constable – 6 Year

**EACH ELECTION DISTRICT**

- 1 – Judge of Election – 4 Year Term
- 1 – Inspector of Election – 4 Year Term

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE III, SECTION 9  
RELATING TO TERMINATION OR EXTENSION OF DISASTER EMERGENCY DECLARATIONS

***Ballot Question***

Shall the Pennsylvania Constitution be amended to change existing law and increase the power of the General Assembly to unilaterally terminate or extend a disaster emergency declaration—and the powers of Commonwealth agencies to address the disaster regardless of its severity pursuant to that declaration—through passing a concurrent resolution by simple majority, thereby removing the existing check and balance of presenting a resolution to the Governor for approval or disapproval?

*Plain English Statement of the Office of Attorney General*

JOINT RESOLUTION NO. 2021-1

RELATING TO THE TERMINATION OR EXTENSION OF DISASTER EMERGENCY DECLARATIONS

JOINT RESOLUTION NO. 2021-1 proposes to amend Article III, Section 9 of the Pennsylvania Constitution to provide a new exception to traditional legislative procedure by allowing the General Assembly to terminate or extend a disaster emergency declaration or a portion of such declaration without needing the Governor’s approval.

Currently, Article III, Section 9 establishes a general rule that all orders, resolutions or votes requiring approval by both the House of Representatives and Senate must be presented to the Governor for his approval or veto. Resolutions for the adjournment of the General Assembly are exempted from this process. If the order, resolution or vote is approved by the Governor, it becomes law. If the Governor vetoes the resolution, it does not become law unless two-thirds of the House and Senate vote to override the veto. The proposed amendment would create an additional exception to this customary legislative procedure for concurrent resolutions to terminate or extend, in whole or in part, a disaster emergency declaration issued by the Governor.

The proposed amendment will also have the effect of reversing a recent ruling of the Pennsylvania Supreme Court which held the Pennsylvania Constitution prohibited the General Assembly from passing a concurrent resolution to terminate the Governor’s Covid-19 disaster emergency declaration without presenting it to the Governor for his approval. It will change the law to allow the General Assembly to terminate or extend a disaster emergency declaration through a concurrent resolution approved by only a majority of the members of the House and Senate, without having to present the resolution to the Governor for his approval or veto.

The proposed amendment is limited in that it only changes the traditional legislative process for terminating or extending disaster emergency declarations issued by the Governor. The amendment will not alter the current legislative procedure with respect to which orders, resolutions or votes of the General Assembly must be presented to the Governor for his approval on any other subject matter.

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE IV  
DISASTER EMERGENCY DECLARATION AND MANAGEMENT

***Ballot Question***

Shall the Pennsylvania Constitution be amended to change existing law so that: a disaster emergency declaration will expire automatically after 21 days, regardless of the severity of the emergency, unless the General Assembly takes action to extend the disaster emergency; the Governor may not declare a new disaster emergency to respond to the dangers facing the Commonwealth unless the General Assembly passes a concurrent resolution; the General Assembly enacts new laws for disaster management?

*Plain English Statement of the Office of Attorney General*

Joint Resolution No. 2021-1

Disaster Emergency Declaration and Management

JOINT RESOLUTION NO. 2021-1 proposes adding a new section to Article IV of the Pennsylvania Constitution. This amendment incorporates disaster emergency declaration and management powers directly into the Constitution by:

- Granting the Governor authority to declare a disaster emergency declaration by proclamation or executive order;
- Requiring each declaration to indicate the nature, location and type of disaster;
- Granting the General Assembly authority to pass laws providing for the manner in which each disaster shall be managed;
- Limiting the duration of a Governor's declaration to 21 days, unless otherwise extended, in whole or in part, by a concurrent resolution of the General Assembly;
- Preventing the Governor, upon the expiration of a declaration, from issuing a new declaration based upon the same or substantially similar facts, unless the General Assembly passes a concurrent resolution expressly approving a new declaration.

Currently, disaster emergency declaration and management powers are delegated by statute to the Governor. The Governor has the sole authority to issue and manage all disaster emergency declarations, which cannot extend beyond 90 days unless renewed by the Governor. The General Assembly may override a Governor's disaster emergency declaration by concurrent resolution that must be presented to the Governor for his approval or veto.

If approved, the amendment would transfer certain of the Governor's existing authority to respond to and manage disaster emergencies to the General Assembly. The Governor would retain the authority to issue an initial disaster emergency declaration but the declaration's permissible length would be reduced from 90 to 21 days. The sole authority to extend a declaration would lie with the General Assembly; presently, this power rests with the Governor. Upon expiration of the initial declaration, the amendment prohibits the Governor from issuing a new declaration based upon the same or substantially similar facts without the approval of the General Assembly. The Governor would no longer have unilateral authority to manage disasters, but would have to do so consistent with the laws passed by the General Assembly.

If approved, the General Assembly would be required to pass new laws establishing the manner in which each type of disaster shall be managed. If added to the Pennsylvania Constitution, the proposed amendment cannot be modified or repealed except by a judicial decision finding all or part of the proposed amendment unconstitutional or by the approval of a subsequent constitutional amendment.

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE I  
PROHIBITION AGAINST DENIAL OR ABRIDGEMENT  
OF EQUALITY OF RIGHTS BECAUSE OF RACE OR ETHNICITY

### ***Ballot Question***

Shall the Pennsylvania Constitution be amended by adding a new section providing that equality of rights under the law shall not be denied or abridged because of an individual's race or ethnicity?

*Plain English Statement of the Office of Attorney General*

### **Joint Resolution No. 2021-1**

#### Prohibition Against Denial or Abridgment of Equality of Rights Because of Race and Ethnicity

JOINT RESOLUTION NO. 2021-1, if approved by the electorate, will add a new section to Article I of the Pennsylvania Constitution. This amendment creates a constitutional prohibition against restricting or denying an individual's equal rights under Pennsylvania law because of race or ethnicity.

Generally, inclusion of this amendment within the Pennsylvania Constitution signifies that freedom from discrimination based on race or ethnicity is an essential principle of liberty and free government. This amendment applies to all Pennsylvania state, county and local governmental entities, and guarantees equality of rights under the law. The amendment, if enacted, will become a part of the Pennsylvania Constitution. As such, its provisions must be applied consistent with the other provisions of the Constitution.

This equal right to be free from racial or ethnic discrimination will exist independent from any such rights under the United States Constitution or corresponding federal law. If the current federal protections proscribing racial or ethnic discrimination are abolished, the prohibition against such discrimination will remain in the Pennsylvania Constitution. The amendment is limited in that it creates a right only under Pennsylvania law.

Once added to the Pennsylvania Constitution, the right to be free from racial or ethnic discrimination under the law cannot be eliminated except by a judicial decision finding the amendment unconstitutional or the approval of a subsequent constitutional amendment. If approved, the General Assembly may pass new laws to implement the amendment, but it may not pass a law inconsistent with it.

### **NORTHAMPTON COUNTY HOME RULE CHARTER AMENDMENT**

Should the Northampton County Home Rule Charter, Article II, Section 203 entitled Composition be amended that the County Council shall be composed of nine (9) Commissioners. Five (5) Commissioners elected at large and four (4) Commissioners elected by District.

#### PLAIN ENGLISH VERSION OF THE QUESTION

A "yes" vote for this question would amend Article II, Section 203, entitled Composition of the Northampton County Home Rule Charter that County Council shall be composed of nine (9) Commissioners. Five (5) Commissioners elected at large and four (4) Commissioners elected by District.

A "no" vote would continue Article II, Section 203, entitled Composition for the County Council to be composed of nine (9) members. Five (5) members elected at large and four (4) members elected by District.

#### QUESTION NORTHAMPTON COUNTY HOME RULE CHARTER AMENDMENT

Northampton County Council has enacted Ordinance No. 689 effective September 7, 2020 proposing to amend Article II, Section 203, entitled Composition to provide that the County Council shall be composed of nine (9) Commissioners. Five (5) Commissioners elected at large and four (4) Commissioners elected by District.

**NON-PARTISAN BALLOT**

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE III, SECTION 9  
RELATING TO TERMINATION OR EXTENSION OF DISASTER EMERGENCY DECLARATIONS

***Ballot Question***

Shall the Pennsylvania Constitution be amended to change existing law and increase the power of the General Assembly to unilaterally terminate or extend a disaster emergency declaration—and the powers of Commonwealth agencies to address the disaster regardless of its severity pursuant to that declaration—through passing a concurrent resolution by simple majority, thereby removing the existing check and balance of presenting a resolution to the Governor for approval or disapproval?

*Plain English Statement of the Office of Attorney General*

JOINT RESOLUTION NO. 2021-1

RELATING TO THE TERMINATION OR EXTENSION OF DISASTER EMERGENCY DECLARATIONS

JOINT RESOLUTION NO. 2021-1 proposes to amend Article III, Section 9 of the Pennsylvania Constitution to provide a new exception to traditional legislative procedure by allowing the General Assembly to terminate or extend a disaster emergency declaration or a portion of such declaration without needing the Governor’s approval.

Currently, Article III, Section 9 establishes a general rule that all orders, resolutions or votes requiring approval by both the House of Representatives and Senate must be presented to the Governor for his approval or veto. Resolutions for the adjournment of the General Assembly are exempted from this process. If the order, resolution or vote is approved by the Governor, it becomes law. If the Governor vetoes the resolution, it does not become law unless two-thirds of the House and Senate vote to override the veto. The proposed amendment would create an additional exception to this customary legislative procedure for concurrent resolutions to terminate or extend, in whole or in part, a disaster emergency declaration issued by the Governor.

The proposed amendment will also have the effect of reversing a recent ruling of the Pennsylvania Supreme Court which held the Pennsylvania Constitution prohibited the General Assembly from passing a concurrent resolution to terminate the Governor’s Covid-19 disaster emergency declaration without presenting it to the Governor for his approval. It will change the law to allow the General Assembly to terminate or extend a disaster emergency declaration through a concurrent resolution approved by only a majority of the members of the House and Senate, without having to present the resolution to the Governor for his approval or veto.

The proposed amendment is limited in that it only changes the traditional legislative process for terminating or extending disaster emergency declarations issued by the Governor. The amendment will not alter the current legislative procedure with respect to which orders, resolutions or votes of the General Assembly must be presented to the Governor for his approval on any other subject matter.

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE IV  
DISASTER EMERGENCY DECLARATION AND MANAGEMENT

***Ballot Question***



Shall the Pennsylvania Constitution be amended to change existing law so that: a disaster emergency declaration will expire automatically after 21 days, regardless of the severity of the emergency, unless the General Assembly takes action to extend the disaster emergency; the Governor may not declare a new disaster emergency to respond to the dangers facing the Commonwealth unless the General Assembly passes a concurrent resolution; the General Assembly enacts new laws for disaster management?

*Plain English Statement of the Office of Attorney General*

JOINT RESOLUTION NO. 2021-1

Disaster Emergency Declaration and Management

JOINT RESOLUTION NO. 2021-1 proposes adding a new section to Article IV of the Pennsylvania Constitution. This amendment incorporates disaster emergency declaration and management powers directly into the Constitution by:

- Granting the Governor authority to declare a disaster emergency declaration by proclamation or executive order;
- Requiring each declaration to indicate the nature, location and type of disaster;
- Granting the General Assembly authority to pass laws providing for the manner in which each disaster shall be managed;
- Limiting the duration of a Governor's declaration to 21 days, unless otherwise extended, in whole or in part, by a concurrent resolution of the General Assembly;
- Preventing the Governor, upon the expiration of a declaration, from issuing a new declaration based upon the same or substantially similar facts, unless the General Assembly passes a concurrent resolution expressly approving a new declaration.

Currently, disaster emergency declaration and management powers are delegated by statute to the Governor. The Governor has the sole authority to issue and manage all disaster emergency declarations, which cannot extend beyond 90 days unless renewed by the Governor. The General Assembly may override a Governor's disaster emergency declaration by concurrent resolution that must be presented to the Governor for his approval or veto.

If approved, the amendment would transfer certain of the Governor's existing authority to respond to and manage disaster emergencies to the General Assembly. The Governor would retain the authority to issue an initial disaster emergency declaration but the declaration's permissible length would be reduced from 90 to 21 days. The sole authority to extend a declaration would lie with the General Assembly; presently, this power rests with the Governor. Upon expiration of the initial declaration, the amendment prohibits the Governor from issuing a new declaration based upon the same or substantially similar facts without the approval of the General Assembly. The Governor would no longer have unilateral authority to manage disasters, but would have to do so consistent with the laws passed by the General Assembly.

If approved, the General Assembly would be required to pass new laws establishing the manner in which each type of disaster shall be managed. If added to the Pennsylvania Constitution, the proposed amendment cannot be modified or repealed except by a judicial decision finding all or part of the proposed amendment unconstitutional or by the approval of a subsequent constitutional amendment.

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE I  
PROHIBITION AGAINST DENIAL OR ABRIDGEMENT  
OF EQUALITY OF RIGHTS BECAUSE OF RACE OR ETHNICITY

***Ballot Question***

Shall the Pennsylvania Constitution be amended by adding a new section providing that equality of rights under the law shall not be denied or abridged because of an individual's race or ethnicity?

*Plain English Statement of the Office of Attorney General*

**JOINT RESOLUTION NO. 2021-1**

**Prohibition Against Denial or Abridgment of Equality of Rights Because of Race and Ethnicity**

JOINT RESOLUTION NO. 2021-1, if approved by the electorate, will add a new section to Article I of the Pennsylvania Constitution. This amendment creates a constitutional prohibition against restricting or denying an individual's equal rights under Pennsylvania law because of race or ethnicity.

Generally, inclusion of this amendment within the Pennsylvania Constitution signifies that freedom from discrimination based on race or ethnicity is an essential principle of liberty and free government. This amendment applies to all Pennsylvania state, county and local governmental entities, and guarantees equality of rights under the law. The amendment, if enacted, will become a part of the Pennsylvania Constitution. As such, its provisions must be applied consistent with the other provisions of the Constitution.

This equal right to be free from racial or ethnic discrimination will exist independent from any such rights under the United States Constitution or corresponding federal law. If the current federal protections proscribing racial or ethnic discrimination are abolished, the prohibition against such discrimination will remain in the Pennsylvania Constitution. The amendment is limited in that it creates a right only under Pennsylvania law.

Once added to the Pennsylvania Constitution, the right to be free from racial or ethnic discrimination under the law cannot be eliminated except by a judicial decision finding the amendment unconstitutional or the approval of a subsequent constitutional amendment. If approved, the General Assembly may pass new laws to implement the amendment, but it may not pass a law inconsistent with it.

**NORTHAMPTON COUNTY HOME RULE CHARTER AMENDMENT**

Should the Northampton County Home Rule Charter, Article II, Section 203 entitled Composition be amended that the County Council shall be composed of nine (9) Commissioners. Five (5) Commissioners elected at large and four (4) Commissioners elected by District.

**PLAIN ENGLISH VERSION OF THE QUESTION**

A "yes" vote for this question would amend Article II, Section 203, entitled Composition of the Northampton County Home Rule Charter that County Council shall be composed of nine (9) Commissioners. Five (5) Commissioners elected at large and four (4) Commissioners elected by District.

A "no" vote would continue Article II, Section 203, entitled Composition for the County Council to be composed of nine (9) members. Five (5) members elected at large and four (4) members elected by District.

**QUESTION NORTHAMPTON COUNTY HOME RULE CHARTER AMENDMENT**

Northampton County Council has enacted Ordinance No. 689 effective September 7, 2020 proposing to amend Article II, Section 203, entitled Composition to provide that the County Council shall be composed of nine (9) Commissioners. Five (5) Commissioners elected at large and four (4) Commissioners elected by District.