The 2021 Primary Election: Know Your Ballot
3 Proposed Amendments to the Pennsylvania Constitution

OFFICIAL BALLOT
Should the PA Constitution be amended to say ....

Yes
No
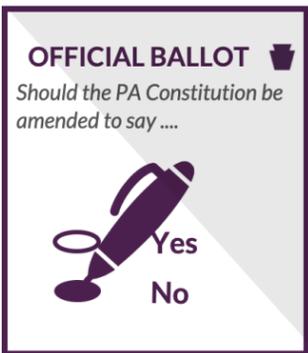
What do you need to know?

1. All registered voters can vote on these 3 ballot questions, even if they are not registered in a political party.

2. You can register to vote at VotesPA.com. The last day to register is May 3.

3. You can learn more about these ballot questions, and about other candidates and issues on your ballot at Vote411.org.

The first 2 proposed amendments deal with the Governor's powers during a Disaster Emergency Declaration.

Here's the full text of Ballot Question 1...

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?
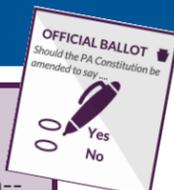
So, how does the law work now?

- **The Governor of Pennsylvania acts alone to declare or extend a disaster emergency**.
- The General Assembly can pass legislation to end the emergency declaration.
- The **Governor can veto the legislation**.
- The General Assembly can override the Governor's decision **with a two-thirds vote.**

What would Amendment 1 change?

- **The General Assembly, and not the Governor, has authority to end or extend the emergency declaration**
- If General Assembly passes a resolution to end or extend the emergency declaration, **the Governor cannot veto it.**
- The General Assembly can override the Governor's decision **with a simple majority vote.**

Supporters say...

The emergency declaration gives the Governor too much power to act alone.

Opponents say...

The General Assembly can already override the Governor's decision with a two-thirds vote. This is the right level of checks and balances.

...and Ballot Question 2

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?

So, how does the law work now?

- The emergency declaration **expires automatically after 90 days,** although the Governor can end it earlier.
- The **Governor can make emergency regulations**, such as curfews, travel restrictions, or business regulations without action from the General Assembly.
- **The Governor coordinates the disaster response** with state and federal agencies.

What would Amendment 2 change?

- The Emergency Declaration **expires automatically after 21 days.**
- The **General Assembly can make emergency regulations** instead of the Governor.
- **The Governor cannot make a new emergency declaration on his own.**
- **The 253-member General Assembly coordinates the disaster response** with state and federal agencies.

Supporters say...

The 90-day time period is too long.

This gives legislators more power to represent the concerns in their districts.

Opponents say...

Coordinating through the General Assembly will complicate and slow the disaster response.

Convening the General Assembly every 21 days will add partisanship and procedural hurdles.

The third proposed amendment adds a new section to the PA Constitution prohibiting racial or ethnic discrimination.

Here's the full text of Ballot Question 3...

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?

So, how does the law work now?

- The PA Constitution prohibits discrimination by state government **"against any person in the exercise of any civil right."**
- Pennsylvania citizens have **legal protection from racial discrimination based on the US Constitution and federal law.**
- These federal laws **permit affirmative action** in government contracts, school admissions and hiring.

What would this amendment change?

- The amendment would **affirm equal rights under the law in the PA constitution**, but would not add to federal protections for groups that have historically experienced discrimination.
- The amendment could allow non-minority individuals to sue the state in **"reverse discrimination" cases, possibly eliminating affirmative action** in state government contracts, school admissions and hiring.

Supporters say...

The law should be "color-blind."

Everybody should be treated equally.

Opponents say...

These rights are already protected by the US Constitution.

Affirmative action helps overcome past legal discrimination.

You decide on May 18th. Vote in the Pennsylvania Primary, and in every election.
Your Vote is Your Voice! Find more information about your ballot at vote411.org.