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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2354

Session of  
1996

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INTRODUCED BY DALEY, SHANER, COLAIZZO, ITKIN, BELARDI,  
LESCOVITZ, STABACK, LAUGHLIN, BELFANTI, ROBERTS, VAN HORNE  
AND WALKO, JANUARY 31, 1996

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REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 31, 1996

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A JOINT RESOLUTION

1 Proposing an emergency amendment to the Constitution of the  
2 Commonwealth of Pennsylvania, further providing for special  
3 emergency legislation.

4 Many Pennsylvanians have suffered greatly from the ravages of  
5 Great Storms and Floods in recent years. The Great Storms or  
6 Floods of 1974, 1975, 1976, 1977 and 1996 were additional major  
7 disasters causing loss of life and great damage and destruction  
8 to property of individuals, industrial and commercial  
9 establishments and public facilities.

10 It is imperative that the victims of these disasters receive  
11 the fullest possible aid from both the Federal Government and  
12 the Commonwealth in order to accomplish a speedy recovery.

13 The Congress of the United States, through enactment of  
14 various disaster relief laws, has authorized the making of  
15 certain disaster relief grants. The General Assembly wishes to  
16 make such Federal disaster relief grants, or other grants made  
17 available from Federal programs hereafter enacted, available to

1 eligible individuals and families in order to alleviate the  
2 deprivation caused by storms or floods which have occurred in  
3 the past and seeks to address those emergencies of future years.  
4 However, the General Assembly is limited by rigid restrictions  
5 in the Constitution of the Commonwealth of Pennsylvania. The  
6 safety and welfare of this Commonwealth requires the prompt  
7 amendment to the Constitution to aid those afflicted by the  
8 Great Storms or Floods of 1996 and any future emergency that may  
9 strike Commonwealth citizens.

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

12 Section 1. The following amendment to the Constitution of  
13 Pennsylvania is proposed in accordance with the emergency  
14 provisions of Article XI:

15 That section 17 of Article VIII be amended to read:

16 § 17. Special emergency legislation.

17 (a) Notwithstanding any provisions of this Constitution to  
18 the contrary, the General Assembly shall have the authority to  
19 enact laws providing for tax rebates, credits, exemptions,  
20 grants-in-aid, State supplementations, or otherwise provide  
21 special provisions for individuals, corporations, associations  
22 or nonprofit institutions, including nonpublic schools (whether  
23 sectarian or nonsectarian) in order to alleviate the danger,  
24 damage, suffering or hardship faced by such individuals,  
25 corporations, associations, institutions or nonpublic schools as  
26 a result of [Great Storms or Floods of September 1971, of June  
27 1972, or of 1974, or of 1975, or of 1976] natural disasters.

28 (b) Notwithstanding the provisions of Article III, section  
29 29 subsequent to a Presidential declaration of an emergency or  
30 of a major disaster in any part of this Commonwealth, the

1 General Assembly shall have the authority by a vote of two-  
2 thirds of all members elected to each House to make  
3 appropriations limited to moneys required for Federal emergency  
4 or major disaster relief. This subsection may apply  
5 retroactively to any Presidential declaration of an emergency or  
6 of a major disaster [in 1976 or 1977].

7 Section 2. (a) The General Assembly hereby determines that  
8 a major emergency threatens or is about to threaten this  
9 Commonwealth and that the safety or welfare of this Commonwealth  
10 requires prompt amendment of the Constitution of Pennsylvania by  
11 this constitutional amendment.

12 (b) Upon passage by the General Assembly of this proposed  
13 constitutional amendment, the Secretary of the Commonwealth  
14 shall proceed immediately to comply with the advertising  
15 requirements of section 1(a) of Article XI of the Constitution  
16 of Pennsylvania and shall transmit the required advertisements  
17 to two newspapers in every county in which such newspapers are  
18 published in sufficient time after passage of this proposed  
19 constitutional amendment. The Secretary of the Commonwealth  
20 shall submit this proposed constitutional amendment to the  
21 qualified electors of this Commonwealth at the first primary,  
22 general or municipal election occurring at least one month after  
23 the proposed constitutional amendment is passed by the General  
24 Assembly which meets the requirements of and is in conformance  
25 with section 1(a) of Article XI of the Constitution of  
26 Pennsylvania.