

AMENDMENTS TO HOUSE RESOLUTION NO. 836

Sponsor: SENATOR MASTRIANO

Printer's No. 3881

1 Amend Resolution, page 2, lines 2 through 30; pages 3 through
2 7, lines 1 through 30; page 8, lines 1 through 21; by striking
3 out all of said lines on said pages and inserting

4 WHEREAS, 35 Pa.C.S. § 7301(c) (relating to general authority
5 of Governor) authorizes the Governor to declare a state of
6 disaster emergency; and

7 WHEREAS, On March 6, 2020, the Governor issued a proclamation
8 declaring a disaster emergency in response to the existence of
9 COVID-19 cases in Pennsylvania; and

10 WHEREAS, On June 3, 2020, the Governor issued an amendment to
11 the proclamation of disaster emergency renewing the March 6,
12 2020, declaration for an additional 90 days; and

13 WHEREAS, The June 3, 2020, amendment provides that all
14 "directives, authorized actions and provisions" of the March 6,
15 2020, proclamation shall remain in full force and effect until
16 rescinded by the Governor or "terminated by law"; and

17 WHEREAS, Pursuant to section 12 of Article I of the
18 Constitution of Pennsylvania, the power to suspend laws belongs
19 to the legislature; and

20 WHEREAS, 35 Pa.C.S. § 7301(c) authorizes the General Assembly
21 by concurrent resolution to terminate a state of disaster
22 emergency at any time; and

23 WHEREAS, 35 Pa.C.S. § 7301(c) provides that upon the
24 termination of the declaration by concurrent resolution of the
25 General Assembly, "the Governor shall issue an executive order
26 or proclamation ending the state of disaster emergency";
27 therefore be it

28 RESOLVED (the Senate concurring), That the General Assembly,
29 in accordance with 35 Pa.C.S. § 7301(c) and its Article I,
30 Section 12 power to suspend laws, hereby terminate the disaster
31 emergency declared on March 6, 2020, as amended and renewed, in
32 response to COVID-19; and be it further

33 RESOLVED, That upon adoption of this concurrent resolution by
34 both chambers of the General Assembly, the Secretary of the
35 Senate shall notify the Governor of the General Assembly's
36 action with the directive that the Governor issue an executive
37 order or proclamation ending the state of disaster emergency in

1 accordance with this resolution and 35 Pa.C.S. § 7301(c); and be
2 it further

3 RESOLVED, That upon adoption of this concurrent resolution by
4 both chambers of the General Assembly, the Chief Clerk of the
5 House of Representatives shall do all of the following:

6 (1) Transmit a copy of this resolution to the Secretary
7 of the Commonwealth as an official action of the General
8 Assembly under the authority provided under 35 Pa.C.S. §
9 7301(c) to terminate a state of emergency.

10 (2) Transmit a copy of this resolution to the Director
11 of the Pennsylvania Emergency Management Agency.

12 (3) Transmit this resolution to the Legislative
13 Reference Bureau for publication in the Pennsylvania Bulletin
14 under 45 Pa.C.S. § 725(a) (4).

15 (4) Provide public notice of adoption of this resolution
16 by publishing a summary of it in newspapers of general
17 circulation in this Commonwealth within five days of adoption
18 by the Senate and the House of Representatives.