

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 662

Session of  
1979

INTRODUCED BY MILLER, MOEHLMANN, NAHILL, NOYE AND CORNELL,  
MARCH 13, 1979

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 13, 1979

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, providing for the people's power of  
3 initiative generally to propose laws and constitutional  
4 amendments.

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

7 Section 1. The following amendment to the Constitution of  
8 the Commonwealth of Pennsylvania is proposed in accordance with  
9 the provisions of Article XI thereof:

10 (1) That a section be added to Article I to read:

11 ARTICLE I

12 DECLARATION OF RIGHTS

13 § 29. People's power of initiative.

14 (a) Upon the presentation to the Secretary of State of a  
15 petition certified as herein provided to have been signed by  
16 qualified electors, equal in number to 10% of all votes cast for  
17 all candidates for Governor at the last preceding general  
18 election, at which a Governor was elected, proposing a law or  
19 amendment to the Constitution, set forth in full in said

1 petition, the Secretary of State shall submit the said proposed  
2 law or amendment to this Constitution to the electors at the  
3 next succeeding general or municipal election occurring  
4 subsequent to 130 days after the presentation aforesaid of said  
5 petition. All such initiative petitions shall have printed  
6 across the top thereof in 12-point black face type the  
7 following: "Initiative Measure to be Submitted Directly to the  
8 Electors."

9 (b) The procedure relating to the form of such petition,  
10 notice to the electorate and election officials and other such  
11 matters shall be as prescribed by the General Assembly.

12 (c) No act, law or amendment to this Constitution, initiated  
13 or adopted by the people, shall be subject to the veto power of  
14 the Governor, and no act, law or amendment to this Constitution,  
15 adopted by the people at the polls under the initiative  
16 provisions of this section, shall be amended or repealed except  
17 by a vote of the electors, unless otherwise provided in said  
18 initiative measure.

19 (d) If any provision or provisions of two or more measures,  
20 approved by the electors at the same election, conflict, the  
21 provision or provisions of the measure receiving the highest  
22 affirmative vote shall prevail.

23 (e) Any act, law or amendment to this Constitution submitted  
24 to the people by initiative petition and approved by a majority  
25 of the votes cast thereon, at any election, shall take effect  
26 five days after the date of the official declaration of the vote  
27 is proclaimed by the Governor.

28 (2) That section 1 of Article II, section 1 of Article III  
29 and section 1 of Article XI, be amended to read:

30 ARTICLE II

1 THE LEGISLATURE

2 § 1. Legislative power.

3 The legislative power of this Commonwealth shall be vested in  
4 a General Assembly, which shall consist of a Senate and a House  
5 of Representatives; but the people reserve to themselves the  
6 power to propose laws, and to adopt or reject the same, at the  
7 polls independent of the General Assembly.

8 ARTICLE III

9 LEGISLATION

10 A. PROCEDURE

11 § 1. Passage of laws.

12 No law shall be passed except by bill, or except through the  
13 procedure for the exercise of the people's power of initiative  
14 and no bill shall be so altered or amended, on its passage  
15 through either House, or as to a law proposed by the people's  
16 initiative, in the course of being placed on the ballot, as to  
17 change its original purpose.

18 ARTICLE XI

19 AMENDMENTS

20 § 1. Proposal of amendments by the General Assembly and the  
21 people and their adoption.

22 Amendments to this Constitution may be proposed in the Senate  
23 or House of Representatives; and if the same shall be agreed to  
24 by a majority of the members elected to each House, such  
25 proposed amendment or amendments shall be entered on their  
26 journals with the yeas and nays taken thereon, and the Secretary  
27 of the Commonwealth shall cause the same to be published three  
28 months before the next general election, in at least two  
29 newspapers in every county in which such newspapers shall be  
30 published; and if, in the General Assembly next afterwards

1 chosen, such proposed amendment or amendments shall be agreed to  
2 by a majority of the members elected to each House, the  
3 Secretary of the Commonwealth shall cause the same again to be  
4 published in the manner aforesaid; and such proposed amendment  
5 or amendments shall be submitted to the qualified electors of  
6 the State in such manner, and at such time at least three months  
7 after being so agreed to by the two Houses, as the General  
8 Assembly shall prescribe; and, if such amendment or amendments  
9 shall be approved by a majority of those voting thereon, such  
10 amendment or amendments shall become a part of the Constitution;  
11 but no amendment or amendments shall be submitted oftener than  
12 once in five years. When two or more amendments shall be  
13 submitted they shall be voted upon separately.

14 (a) In the event a major emergency threatens or is about to  
15 threaten the Commonwealth and if the safety or welfare of the  
16 Commonwealth requires prompt amendment of this Constitution,  
17 such amendments to this Constitution may be proposed in the  
18 Senate or House of Representatives at any regular or special  
19 session of the General Assembly, and if agreed to by at least  
20 two-thirds of the members elected to each House, a proposed  
21 amendment shall be entered on the journal of each House with the  
22 yeas and nays taken thereon and the official in charge of  
23 statewide elections shall promptly publish such proposed  
24 amendment in at least two newspapers in every county in which  
25 such newspapers are published. Such amendment shall then be  
26 submitted to the qualified electors of the Commonwealth in such  
27 manner, and at such time, at least one month after being agreed  
28 to by both Houses as the General Assembly prescribes.

29 (b) If an emergency amendment is approved by a majority of  
30 the qualified electors voting thereon, it shall become part of

1 this Constitution. When two or more emergency amendments are  
2 submitted they shall be voted on separately.

3 The people may propose amendments to the Constitution through  
4 the exercise of the initiative power reserved to themselves, the  
5 procedure for which shall be prescribed by the General Assembly.