
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 106 Session of
2021

INTRODUCED BY BENNINGHOFF, MAY 24, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 24, 2021

A CONCURRENT RESOLUTION

1 Extending in part and terminating in part the March 6, 2020,
2 proclamation of disaster emergency, as amended and renewed,
3 issued under the hand and seal of the Governor, Thomas
4 Westerman Wolf.

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

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

11 WHEREAS, On August 31, 2020, the Governor issued an amendment
12 to the proclamation of disaster emergency renewing the
13 declaration for an additional 90 days; and

14 WHEREAS, On November 29, 2020, the Governor issued an
15 amendment to the proclamation of disaster emergency renewing the
16 declaration for an additional 90 days; and

17 WHEREAS, On February 19, 2021, the Governor issued an
18 amendment to the proclamation of disaster emergency renewing the
19 declaration for an additional 90 days; and

1 WHEREAS, On May 20, 2021, the Governor issued an amendment to
2 the proclamation of disaster emergency renewing the declaration;
3 and

4 WHEREAS, On May 18, 2021, the People of Pennsylvania adopted
5 an amendment to section 9 of Article III of the Constitution of
6 Pennsylvania which provides that orders, resolutions or votes
7 "to which the concurrence of both Houses may be necessary,
8 except on the questions of ... termination or extension of a
9 disaster emergency declaration as declared by an executive order
10 or proclamation, or portion of a disaster emergency declaration
11 as declared by an executive order or proclamation, shall be
12 presented to the Governor" for his approval or veto; and

13 WHEREAS, On May 18, 2021, the People of Pennsylvania adopted
14 section 20(c) of Article IV of the Constitution of Pennsylvania
15 which provides, in relevant part, "A disaster emergency
16 declaration under subsection (a) shall be in effect for no more
17 than twenty-one (21) days, unless otherwise extended in whole or
18 part by concurrent resolution of the General Assembly";
19 therefore be it

20 RESOLVED (The Senate concurring), That the General Assembly,
21 in accordance with section 20 of Article IV of the Constitution
22 of Pennsylvania, hereby terminates in part and extends in part
23 the disaster emergency declared on March 6, 2020, as amended and
24 renewed, in response to COVID-19; and be it further

25 RESOLVED, That the General Assembly terminate, and not extend
26 in part, the following portions of the disaster emergency
27 declaration:

28 (1) The portion of the disaster emergency declaration
29 permitting the declaration to serve as the written
30 determination of the basis for the emergency under 62 Pa.C.S.

1 § 516. An emergency procurement under 62 Pa.C.S. § 516
2 relating the novel coronavirus known as COVID-19 shall
3 include a written determination for the basis of the
4 emergency other than a proclamation of the Governor.

5 (2) The portion of the disaster emergency declaration
6 suspending the provisions of any regulatory statute
7 prescribing the procedures for conduct of Commonwealth
8 business, or the orders, rules or regulations of any
9 Commonwealth agency, but only to the extent that it applies
10 to any of the following statutes, orders, rules or
11 regulations:

12 (i) 62 Pa.C.S. Pt. I.

13 (ii) (Reserved).

14 (3) The portion of the disaster emergency declaration
15 requiring Commonwealth agencies to implement emergency
16 assignments without regard to procedures required by other
17 laws pertaining to performance of public work, entering into
18 contracts, incurring of obligations, employment of temporary
19 workers, rental of equipment, purchase of supplies and
20 materials, and expenditures of public funds.

21 (4) The portion of the disaster emergency declaration
22 authorizing the Department of Labor and Industry to suspend
23 or waive the requirements of section 401(b) of the act of
24 December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known
25 as the Unemployment Compensation Law.

26 (5) The portion of the disaster emergency declaration
27 setting maximum occupancy limits.

28 (6) The portion of the disaster emergency declaration
29 closing the physical location of non-life-sustaining
30 businesses.

1 (7) The portion of the disaster emergency declaration
2 resulting in stay-at-home orders;
3 and be it further

4 RESOLVED, That this extension in part of the disaster
5 emergency declared on March 6, 2020, as amended and renewed, in
6 response to COVID-19, shall expire on October 1, 2021, except as
7 terminated or extended, in whole or in part, by the General
8 Assembly; and be it further

9 RESOLVED, That any portion of the disaster emergency
10 declaration which is not terminated in part shall be extended in
11 part; and be it further

12 RESOLVED, That upon adoption of this concurrent resolution by
13 both chambers of the General Assembly, the Chief Clerk of the
14 House of Representatives shall notify the Governor of the
15 General Assembly's action; and be it further

16 RESOLVED, That the Chief Clerk of the House of
17 Representatives shall transmit this concurrent resolution to the
18 Legislative Reference Bureau for publication in the Pennsylvania
19 Bulletin under 45 Pa.C.S. § 725(a)(4).