A CONCURRENT RESOLUTION

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

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

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

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

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

WHEREAS, On February 19, 2021, the Governor issued an amendment to the proclamation of disaster emergency renewing the declaration for an additional 90 days; and
WHEREAS, On May 20, 2021, the Governor issued an amendment to the proclamation of disaster emergency renewing the declaration; and

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

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

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

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

(1) The portion of the disaster emergency declaration permitting the declaration to serve as the written determination of the basis for the emergency under 62 Pa.C.S.
§ 516. An emergency procurement under 62 Pa.C.S. § 516 relating the novel coronavirus known as COVID-19 shall include a written determination for the basis of the emergency other than a proclamation of the Governor.

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

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

(ii) (Reserved).

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

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

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

(6) The portion of the disaster emergency declaration closing the physical location of non-life-sustaining businesses.
(7) The portion of the disaster emergency declaration resulting in stay-at-home orders;

and be it further

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

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

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

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