
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1516 Session of
2019

INTRODUCED BY CAUSER, PASHINSKI, BERNSTINE, BURGOS, A. DAVIS,
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SAYLOR, SNYDER, STRUZZI, ULLMAN, WEBSTER, ZIMMERMAN, McNEILL
AND IRVIN, MAY 29, 2019

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
MAY 29, 2019

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, establishing the Agriculture Rapid Response
3 Disaster Readiness Account.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
7 is amended by adding a part to read:

8 PART X

9 EMERGENCIES

10 Chapter

11 111. Agriculture Rapid Response Disaster Readiness Account

12 CHAPTER 111

13 AGRICULTURE RAPID RESPONSE DISASTER READINESS ACCOUNT

14 Sec.

15 11101. Declaration of purpose.

16 11102. Definitions.

1 11103. Authority.

2 11104. Eligible disaster funding.

3 11105. Recordkeeping and audit.

4 11106. Cooperation.

5 11107. Agriculture Rapid Response Disaster Readiness Account.

6 11108. Applicability.

7 § 11101. Declaration of purpose.

8 The purpose of this chapter is to establish a restricted
9 account within the department to provide emergency money for
10 training, equipment and other resources necessary for rapid
11 responses to transmissible diseases, plant pests, plant
12 diseases, controlled and noxious weeds, foodborne illnesses and
13 natural and other disasters affecting agriculture in this
14 Commonwealth.

15 § 11102. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 "Account." The Agriculture Rapid Response Disaster Readiness
20 Account established under section 11107 (relating to Agriculture
21 Rapid Response Disaster Readiness Account).

22 "Controlled plant." As defined under section 1502 (relating
23 to definitions).

24 "Hazardous substance." As defined under section 2303
25 (relating to definitions).

26 "Invasive species." A species declared to be invasive by the
27 Governor's Invasive Species Council of Pennsylvania.

28 "Noxious weed." As defined under section 1502.

29 "Person." An individual, partnership, association, firm,
30 corporation, local agency, agency of the Federal Government or

1 the Commonwealth or other legal entity.

2 "Plant pest." As defined under the act of December 16, 1992
3 (P.L.1228, No.162), known as the Plant Pest Act.

4 "Transmissible disease." As defined under section 2303.
5 § 11103. Authority.

6 (a) Authority and duty.--The department shall have the
7 authority and duty to:

8 (1) Administer the provisions of this chapter.

9 (2) Allocate money in accordance with this chapter.

10 (b) Training programs.--The department may develop training
11 programs and training program requirements and allocate money in
12 a manner consistent with this chapter.

13 (c) Competitive bidding.--The department shall use a
14 competitive bidding process for contracts awarded under this
15 chapter and may not make sole source procurements.

16 § 11104. Eligible disaster funding.

17 Purposes for which money from the account may be used by the
18 department shall include, but are not limited to, the following:

19 (1) To mitigate, contain, control, eradicate, prevent or
20 limit the spread of:

21 (i) Transmissible disease.

22 (ii) Hazardous substance contamination.

23 (iii) Plant pests.

24 (iv) Invasive species.

25 (v) Plant diseases.

26 (vi) Noxious weeds.

27 (vii) Controlled plants.

28 (viii) Foodborne illness.

29 (2) To assist in providing transportation of livestock
30 feed from a commercial feed establishment in the event of a

1 disaster declaration issued by the Governor that includes the
2 department.

3 (3) To make grants for and acquire data regarding animal
4 health research and animal disease diagnosis. No more than
5 \$100,000 may be used for this purpose in a year.

6 (4) To provide additional financial assistance as may be
7 requested in a declaration of disaster issued by the Governor
8 that includes the department.

9 § 11105. Recordkeeping and audit.

10 (a) Eligible person receiving money.--The department shall
11 require a person receiving money under this chapter to keep and
12 provide upon request records as the department believes are
13 necessary to ensure money is spent in accordance with this
14 chapter. The person must reside in this Commonwealth. The
15 records shall include the name and address of the person,
16 evidence of the eligible disaster for which the money was
17 received and a copy of each invoice and expenditure to account
18 for the expenditure of money received. The department may
19 request production of the documents and may copy and hold the
20 documents as the department deems necessary. The department may
21 enter onto the premises of the person in order to carry out the
22 department's duties under this chapter.

23 (b) Department records.--The department shall keep a record
24 of all expenditures from the account, which shall include the
25 date, eligible purpose of the expenditure and any eligible
26 entity that may have received the funding. The General Assembly
27 may request a report, including the required records, from the
28 department on a fiscal year basis or as the General Assembly
29 believes necessary.

30 § 11106. Cooperation.

1 In order to increase the efficiency of the department
2 regarding the administration and implementation of this chapter,
3 the department may cooperate and enter into agreements with the
4 appropriate regulatory agencies of the Federal Government and
5 any other Commonwealth agency in furtherance of this chapter.

6 § 11107. Agriculture Rapid Response Disaster Readiness Account.

7 (a) Establishment.--The Agriculture Rapid Response Disaster
8 Readiness Account is established as a special nonlapsing account
9 in the State Treasury. All money allocated to or supplements to
10 the account and the interest collected on money and supplements
11 shall be paid into the account. All money placed into the
12 account and the interest the account accrues are appropriated to
13 the department on a continuing basis for activities necessary to
14 meet the requirements of this chapter.

15 (b) Supplements to account.--The account may be supplemented
16 by money received from the following sources:

17 (1) State money appropriated to the department.

18 (2) Federal money appropriated to the department.

19 (3) Money received from other governmental agencies
20 through an interagency agreement or memorandum of
21 understanding.

22 (4) Gifts and other contributions from public and
23 private sources.

24 (c) Account administration.--The department may adopt
25 procedures for the use of money in the account, including the
26 creation of subaccounts within the account for the purposes of
27 allocation of money authorized under this chapter.

28 (d) Deposit and use of money.--An administrative action may
29 not prevent the deposit of money into the account in the fiscal
30 year in which the money is received. The money shall only be

1 used for the purposes authorized under this chapter and shall
2 not be transferred or diverted to any other purpose by
3 administrative action, except as specifically provided for in
4 section 11106 (relating to cooperation).

5 § 11108. Applicability.

6 This chapter shall apply to the distribution of account money
7 allocated or made available to the department beginning with the
8 2019-2020 fiscal year and each fiscal year thereafter. The
9 department shall not be liable for a commitment or for
10 completion of a partially completed or partially funded project
11 which cannot be completed due to the unavailability of
12 Commonwealth money or future Commonwealth appropriations.

13 Section 2. This act shall take effect in 60 days.