

AMENDMENTS TO HOUSE BILL NO. 2419

Sponsor: REPRESENTATIVE GROVE

Printer's No. 3581

1 Amend Bill, page 2, lines 2 through 30; pages 3 through 8,
2 lines 1 through 30; page 9, lines 1 through 9; by striking out
3 all of said lines on said pages and inserting

4 Section 2101-C. Legislative findings.

5 The General Assembly finds and declares as follows:

6 (1) A novel coronavirus, known as COVID-19, entered the
7 United States in late January 2020 and has spread throughout
8 the states, including this Commonwealth.

9 (2) On March 6, 2020, the Governor declared a disaster
10 emergency, citing a threat of imminent disaster that is of
11 such a magnitude and severity as to necessitate extraordinary
12 measures to protect the health, safety and life of this
13 Commonwealth's citizens.

14 (3) The impact of COVID-19, including all the necessary
15 measures taken to mitigate the spread of the disease, has
16 severely disrupted the Commonwealth and its subdivisions and
17 is producing short-term and long-term negative economic
18 consequences.

19 (4) In order to effectively manage the current disaster,
20 all branches of the Commonwealth's government must work
21 cooperatively to identify immediate and urgent issues,
22 provide a structure to catalog the Commonwealth's response to
23 the disaster emergency and create a forum to receive
24 testimony, information and recommendations from individuals,
25 business and industry.

26 (5) In addition to managing the existing public health
27 challenges of COVID-19, the Commonwealth will need a recovery
28 plan once the emergency subsides to address the innumerable
29 issues resulting from the disaster emergency, including the
30 impact to the economy.

31 (6) The most effective manner to achieve these critical
32 needs is to form an interbranch task force.

33 Section 2102-C. Definitions.

34 The following words and phrases when used in this article
35 shall have the meanings given to them in this section unless the
36 context clearly indicates otherwise:

37 "Order." As follows:

1 (1) The declaration of disaster emergency issued by the
2 Governor on March 6, 2020, published at 50 Pa.B. 1644 (March
3 21, 2020).

4 (2) A declaration of disaster emergency relating to the
5 novel coronavirus, known as COVID-19, issued after March 6,
6 2020.

7 "Task force." The COVID-19 Cost and Recovery Task Force
8 established under section 2103-C(a).
9 Section 2103-C. Task force.

10 (a) Establishment.--The COVID-19 Cost and Recovery Task
11 Force is established.

12 (b) Membership.--The task force shall consist of the
13 following members, appointed within five days of the effective
14 date of this section:

15 (1) The Governor or a designee.

16 (2) The President pro tempore of the Senate or a
17 designee.

18 (3) The Majority Leader of the Senate or a designee.

19 (4) The Minority Leader of the Senate or a designee.

20 (5) The Speaker of the House of Representatives or a
21 designee.

22 (6) The Majority Leader of the House of Representatives
23 or a designee.

24 (7) The Minority Leader of the House of Representatives
25 or a designee.

26 (8) The Chief Justice of the Supreme Court or a
27 designee.

28 (9) A judge of the Superior Court or Commonwealth Court
29 or a judge of the court of common pleas appointed by the
30 Chief Justice of the Supreme Court.

31 (c) Method of appointment.--An appointing authority under
32 subsection (b) shall make appointment or replacement appointment
33 by the transmission of a letter to the Governor, all ex officio
34 members and all appointing authorities under subsection (b).

35 (c.1) Executive advisors.--The following shall serve as
36 advisors to the task force:

37 (1) An officer or employee of the Department of
38 Agriculture to represent the Secretary of Agriculture.

39 (2) An officer or employee of the Department of Banking
40 and Securities to represent the Secretary of Banking and
41 Securities.

42 (3) An officer or employee of the Department of
43 Community and Economic Development to represent the Secretary
44 of Community and Economic Development.

45 (4) An officer or employee of the Department of
46 Education to represent the Secretary of Education.

47 (5) An officer or employee of the Department of Human
48 Services to represent the Secretary of Human Services.

49 (6) An officer or employee of the Insurance Department
50 to represent the Insurance Commissioner.

51 (7) An officer or employee of the Department of Labor

1 and Industry to represent the Secretary of Labor and
2 Industry.

3 (8) An officer or employee of the Department of
4 Transportation to represent the Secretary of Transportation.

5 (d) Advisory committees.--The following shall apply:

6 (1) The task force may establish advisory committees to
7 review issues relating to the COVID-19 public health
8 emergency that require executive, legislative or judicial
9 action and to report related information to the task force.

10 (2) Members of an advisory committee shall be
11 individuals appointed by the task force who have experience
12 in the issue being reviewed. Members of the task force and
13 individuals who are not members of the task force may be
14 appointed to an advisory committee.

15 (3) Individuals appointed to an advisory committee who
16 are not members of the task force shall represent the
17 geographic, racial, gender and socioeconomic diversity of
18 this Commonwealth. Individuals appointed to an advisory
19 committee who are not members of the task force may not be a
20 lobbyist as defined in 65 Pa.C.S. § 13A03 (relating to
21 definitions) or an officer or an employee of a political
22 party or political committee as defined in section 801 or
23 1621(h) of the act of June 3, 1937 (P.L.1333, No.320), known
24 as the Pennsylvania Election Code.

25 (4) A member of the task force shall serve as the
26 chairperson of each advisory committee.

27 (5) An advisory committee established under this
28 subsection may be directed to review issues related to issues
29 arising from the COVID-19 pandemic and the impact those
30 issues have had on the Commonwealth.

31 (e) Chairperson.--The Governor or a designee under
32 subsection (b)(1) shall serve as chairperson of the task force.

33 (f) Participation.--A member not physically present may
34 participate by teleconference or video conference.

35 (g) Quorum and voting.--The following shall apply:

36 (1) A majority of the members of the task force
37 participating in person, teleconference or video conference
38 shall constitute a quorum.

39 (2) Action of the task force must be authorized or
40 ratified by majority vote of the members of the task force.

41 (h) Meetings.--The following shall apply:

42 (1) The task force shall meet at least once a week.
43 Additional meetings may be called by the chairperson as
44 necessary. The chairperson shall schedule a meeting upon
45 written request of four members of the task force.

46 (2) The first meeting shall be convened within 10 days
47 of the effective date of this paragraph.

48 (3) The task force may take actions necessary to conform
49 to public gathering requirements ordered or recommended by
50 the Secretary of Health or the Centers for Disease Control.

51 (4) The task force shall permit the public to view or

1 listen to an advisory committee meeting through
2 contemporaneous methods and make the recordings available on
3 the Department of Community and Economic Development's
4 publicly accessible Internet website.

5 (5) The task force or an advisory committee may hold
6 public hearings if necessary.

7 (i) Expenses.--Members shall not receive compensation but
8 shall be reimbursed for actual expenses incurred in service of
9 the task force.

10 (j) Support.--The Office of the Governor, the Senate, the
11 House of Representatives and the Administrative Offices of the
12 Pennsylvania Courts shall provide administrative services to the
13 task force or advisory committee.

14 (k) Applicability.--The following shall apply:

15 (1) (i) Except as provided under subparagraph (ii), the
16 act of February 14, 2008 (P.L.6, No.3), known as the
17 Right-to-Know Law, shall apply to the task force.

18 (ii) Correspondence between a person and a member of
19 the task force and records accompanying the
20 correspondence submitted under section 2104-C(a)(3) shall
21 be exempt from access by a requester under the Right-to-
22 Know Law. This subparagraph shall not apply to
23 correspondence between a member and a principal or
24 lobbyist under 65 Pa.C.S. Ch. 13A (relating to lobbying).

25 (2) Except as provided under paragraph (3), the task
26 force shall be deemed an agency for the purposes of 65
27 Pa.C.S. Ch. 7 (relating to open meetings).

28 (3) Public notice of a meeting of the task force shall
29 be made by the by the chairperson no less than 24 hours prior
30 to a meeting.

31 (4) A member of the task force shall be deemed a public
32 official for the purpose of 65 Pa.C.S. Ch. 11 (relating to
33 ethics standards and financial disclosure). A statement
34 required to be filed by a member under 65 Pa.C.S. § 1104(a)
35 (relating to statement of financial interests required to be
36 filed) due to the individual's membership on the task force
37 shall be filed only with the State Ethics Commission.

38 (5) The task force shall be considered an independent
39 agency for the purposes of the act of October 15, 1980
40 (P.L.950, No.164), known as the Commonwealth Attorneys Act.
41 Section 2104-C. Functions of task force.

42 (a) Powers.--The task force shall have the following powers:

43 (1) To request periodic updates from each agency under
44 the Governor's jurisdiction, independent agencies, the
45 legislature and the unified judicial system on any actions
46 taken in response to the COVID-19 public health emergency.

47 (2) To appoint advisory committees under section 2103-
48 C(d).

49 (3) To receive communications from individuals,
50 businesses, nonprofit entities, local governments and any
51 other entity regarding issues under subsection (b)(2).

1 (b) Duties.--The task force shall have the following duties:

2 (1) To monitor and track the response by the
3 Commonwealth to the COVID-19 public health emergency during
4 the time that the order remains active, including all actions
5 taken under the authority of the order.

6 (2) To identify issues of immediate public importance
7 relating to the COVID-19 public health emergency that require
8 executive, legislative or judicial action and to make
9 recommendations to the proper branch in a timely fashion.

10 (3) To develop and submit a recovery plan to the
11 Executive Branch, Legislative Branch and Judicial Branch of
12 the Commonwealth's government. A recovery plan shall include
13 a documented, structured approach that describes how the
14 Commonwealth and its political subdivisions can expeditiously
15 resume mission-critical functions, including the restoration
16 of housing, transportation, education and other public
17 services and economic activity to levels equal to or better
18 than their predisaster states through a series of short-term,
19 intermediate and long-term strategies and actions. The
20 recovery plan may be based in part or in whole on the Federal
21 Emergency Management Agency's resources for recovery planning
22 and managing recovery.

23 (4) To make a final report no later than six months
24 after the order is terminated by executive order,
25 proclamation or operation of law documenting all of the
26 following:

27 (i) Actions taken by executive agencies under the
28 order.

29 (ii) Legislative enactments made in response to the
30 COVID-19 public health emergency.

31 (iii) Judicial orders made in response to the COVID-
32 19 public health emergency.

33 (iv) A summary of actions undertaken by local
34 governments in response to the COVID-19 public health
35 emergency.

36 (v) A detailed summary of the actions taken by the
37 task force and each advisory committee established under
38 section 2103-C(d).

39 Section 2105-C. Appropriation.

40 The amount of \$1,000 is appropriated from the General Fund to
41 the Department of Community and Economic Development for payment
42 of reasonable expenses under section 2103-C(i). The
43 appropriation under this section shall not lapse until the
44 expiration of this article under section 2106-C. Any amount of
45 the appropriation unexpended or uncommitted upon the expiration
46 under section 2106-C shall lapse.

47 Section 2106-C. Expiration.

48 This article shall expire six months after the order is
49 terminated by executive order, proclamation or operation of law.