

AMENDMENTS TO SENATE BILL NO. 327

Sponsor: REPRESENTATIVE SAYLOR

Printer's No. 1436

1 Amend Bill, page 1, line 20, by inserting after

2 "determined,"

3 providing for COVID-19 Cost and Recovery Task Force;

4 Amend Bill, page 1, line 24, by inserting after "leased"

5 ; and making an appropriation

6 Amend Bill, page 1, line 28; page 2, line 1; by striking out

7 "a" in line 28 on page 1 and "section" in line 1 on page 2 and

8 inserting

9 an article

10 Amend Bill, page 2, by inserting between lines 1 and 2

11 ARTICLE XXI-C

12 COVID-19 COST AND RECOVERY TASK FORCE

13 Section 2101-C. Legislative findings.

14 The General Assembly finds and declares as follows:

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

18 (2) On March 6, 2020, the Governor declared a disaster
19 emergency, citing a threat of imminent disaster that is of
20 such a magnitude and severity as to necessitate extraordinary
21 measures to protect the health, safety and life of this
22 Commonwealth's citizens.

23 (3) The impact of COVID-19, including all the necessary
24 measures taken to mitigate the spread of the disease, has
25 severely disrupted the Commonwealth and its subdivisions and
26 is producing short-term and long-term negative economic
27 consequences.

28 (4) In order to effectively manage the current disaster,
29 all branches of the Commonwealth's government must work
30 cooperatively to identify immediate and urgent issues,
31 provide a structure to catalog the Commonwealth's response to
32 the disaster emergency and create a forum to receive
33 testimony, information and recommendations from individuals,

1 business and industry.

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

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

9 Section 2102-C. Definitions.

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

13 "Order." As follows:

14 (1) The declaration of disaster emergency issued by the
15 Governor on March 6, 2020, published at 50 Pa.B. 1644 (March
16 21, 2020).

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

20 "Task force." The COVID-19 Cost and Recovery Task Force
21 established under section 2103-C(a).

22 Section 2103-C. Task force.

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

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

28 (1) The Governor or a designee.

29 (2) Two members of the Senate appointed by the President
30 pro tempore of the Senate.

31 (3) Three members of the Senate appointed by the
32 Majority Leader of the Senate.

33 (4) Three members of the Senate appointed by the
34 Minority Leader of the Senate.

35 (5) Two members of the House of Representatives
36 appointed by the Speaker of the House of Representatives.

37 (6) Three members of the House of Representatives
38 appointed by the Majority Leader of the House of
39 Representatives.

40 (7) Three members of the House of Representatives
41 appointed by the Minority Leader of the House of
42 Representatives.

43 (8) The following individuals appointed by the Governor:

44 (i) An officer or employee of the Department of
45 Health to represent the Secretary of Health.

46 (ii) An officer or employee of the Pennsylvania
47 Emergency Management Agency to represent the Director of
48 the Pennsylvania Emergency Management Agency.

49 (iii) An officer or employee of the Department of
50 Community and Economic Development to represent the
51 Secretary of Community and Economic Development.

1 (9) The following individuals appointed by the Chief
2 Justice of the Supreme Court:

3 (i) The Court Administrator of Pennsylvania of the
4 Administrative Office of Pennsylvania Courts.

5 (ii) A judge of the Superior or Commonwealth Courts
6 or a justice of the Supreme Court.

7 (iii) A judge of a court of common pleas or a member
8 of the minor judiciary.

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

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

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

18 (2) Members of an advisory committee shall be
19 individuals appointed by the task force who have experience
20 in the issue being reviewed. Members of the task force and
21 individuals who are not members of the task force may be
22 appointed to an advisory committee.

23 (3) A member of the task force shall serve as the
24 chairperson of each advisory committee.

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

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

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

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

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

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

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

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

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

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

49 (4) The task force shall permit the public to view or
50 listen to a committee meeting through contemporaneous methods
51 and make the recordings available on the Department of

1 Community and Economic Development's publicly accessible
2 Internet website.

3 (5) The task force may hold public hearings if
4 necessary.

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

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

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

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

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

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

26 (3) Public notice of a meeting of the task force shall
27 be made by the issuance of a press release by the chairperson
28 no less than 24 hours prior to a meeting.

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

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

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

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

45 (2) To appoint advisory committees under section 2103-
46 C(d).

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

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

51 (1) To monitor and track the response by the

1 Commonwealth to the COVID-19 public health emergency during
2 the time that the order remains active, including all actions
3 taken under the authority of the order.

4 (2) To identify immediate and urgent issues relating to
5 the COVID-19 public health emergency that require executive,
6 legislative or judicial action and to make recommendations to
7 the proper body in a timely fashion.

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

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

25 (i) Actions taken by executive agencies under the
26 order.

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

29 (iii) Judicial orders made in response to the COVID-
30 19 public health emergency.

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

34 Section 2105-C. Appropriation.

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

42 Section 2106-C. Expiration.

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

45 Section 2. The act is amended by adding a section to read:

46 Amend Bill, page 3, line 10, by striking out all of said line
47 and inserting

48 Section 3. This act shall take effect as follows:

49 (1) The following provisions shall take effect

1 immediately:
2 (i) The addition of Article XXI-C of the act.
3 (ii) This section.
4 (2) The remainder of this act shall take effect in 180
5 days.