

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**No. **2419** Session of  
2020

INTRODUCED BY GROVE, APRIL 17, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 17, 2020

## AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employes in certain departments, boards,  
17 and commissions; providing for judicial administration; and  
18 prescribing the manner in which the number and compensation  
19 of the deputies and all other assistants and employes of  
20 certain departments, boards and commissions shall be  
21 determined," providing for COVID-19 Cost and Recovery Task  
22 Force.

23 The General Assembly of the Commonwealth of Pennsylvania  
24 hereby enacts as follows:

25 Section 1. The act of April 9, 1929 (P.L.177, No.175), known  
26 as The Administrative Code of 1929, is amended by adding an  
27 article to read:

28 ARTICLE XXI-C

1 COVID-19 COST AND RECOVERY TASK FORCE

2 Section 2101-C. Legislative findings.

3 The General Assembly finds and declares as follows:

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

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

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

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

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

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

30 Section 2102-C. Definitions.

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

4 "Order." As follows:

5 (1) The declaration of disaster emergency issued by the  
6 Governor on March 6, 2020, published at 50 Pa.B. 1644 (March  
7 21, 2020).

8 (2) A declaration of disaster emergency relating to the  
9 novel coronavirus, known as COVID-19, issued after March 6,  
10 2020.

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

13 Section 2103-C. Task force.

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

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

19 (1) The Governor or a designee.

20 (2) Two members of the Senate appointed by the President  
21 pro tempore of the Senate.

22 (3) Three members of the Senate appointed by the  
23 Majority Leader of the Senate.

24 (4) Three members of the Senate appointed by the  
25 Minority Leader of the Senate.

26 (5) Two members of the House of Representatives  
27 appointed by the Speaker of the House of Representatives.

28 (6) Three members of the House of Representatives  
29 appointed by the Majority Leader of the House of  
30 Representatives.

1       (7) Three members of the House of Representatives  
2 appointed by the Minority Leader of the House of  
3 Representatives.

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

5           (i) An officer or employee of the Department of  
6 Health to represent the Secretary of Health.

7           (ii) An officer or employee of the Pennsylvania  
8 Emergency Management Agency to represent the Director of  
9 the Pennsylvania Emergency Management Agency.

10          (iii) An officer or employee of the Department of  
11 Community and Economic Development to represent the  
12 Secretary of Community and Economic Development.

13       (9) The following individuals appointed by the Chief  
14 Justice of the Supreme Court:

15           (i) The Court Administrator of Pennsylvania of the  
16 Administrative Office of Pennsylvania Courts.

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

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

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

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

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

30           (2) Members of an advisory committee shall be

1 individuals appointed by the task force who have experience  
2 in the issue being reviewed. Members of the task force and  
3 individuals who are not members of the task force may be  
4 appointed to an advisory committee.

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

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

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

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

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

16 (1) A majority of the members of the task force  
17 participating in person, teleconference or video conference  
18 shall constitute a quorum.

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

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

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

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

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

1       (4) The task force shall permit the public to view or  
2 listen to a committee meeting through contemporaneous methods  
3 and make the recordings available on the Department of  
4 Community and Economic Development's publicly accessible  
5 Internet website.

6       (5) The task force may hold public hearings if  
7 necessary.

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

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

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

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

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

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

30           (3) Public notice of a meeting of the task force shall

1 be made by the issuance of a press release by the chairperson  
2 no less than 24 hours prior to a meeting.

3 (4) A member of the task force shall be deemed a public  
4 official for the purpose of 65 Pa.C.S. Ch. 11 (relating to  
5 ethics standards and financial disclosure). A statement  
6 required to be filed by a member under 65 Pa.C.S. § 1104(a)  
7 (relating to statement of financial interests required to be  
8 filed) due to the individual's membership on the task force  
9 shall be filed only with the State Ethics Commission.

10 (5) The task force shall be considered an independent  
11 agency for the purposes of the act of October 15, 1980  
12 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

13 Section 2104-C. Functions of task force.

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

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

19 (2) To appoint advisory committees under section 2103-  
20 C(d).

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

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

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

29 (2) To identify immediate and urgent issues relating to  
30 the COVID-19 public health emergency that require executive,

1 legislative or judicial action and to make recommendations to  
2 the proper body in a timely fashion.

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

16 (4) To make a final report no later than six months  
17 after the order is terminated by executive order,  
18 proclamation or operation of law documenting all of the  
19 following:

20 (i) Actions taken by executive agencies under the  
21 order.

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

24 (iii) Judicial orders made in response to the COVID-  
25 19 public health emergency.

26 (iv) A summary of actions undertaken by local  
27 governments in response to the COVID-19 public health  
28 emergency.

29 Section 2105-C. Appropriation.

30 The amount of \$1,000 is appropriated from the General Fund to



1 the Department of Community and Economic Development for payment  
2 of reasonable expenses under section 2103-C(i). The  
3 appropriation under this section shall not lapse until the  
4 expiration of this article under section 2106-C. Any amount of  
5 the appropriation unexpended or uncommitted upon the expiration  
6 under section 2106-C shall lapse.

7 Section 2106-C. Expiration.

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

10 Section 2. This act shall take effect immediately.