

# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2003-11]

### Governor's Office of Housing and Community Revitalization

September 10, 2003

*Whereas*, safe, decent, and affordable housing is a cornerstone to healthy and happy families as well as to stable communities; and

*Whereas*, the special needs of Pennsylvanians with lower incomes and with disabilities, its seniors and its homeless, require greater attention and choice in housing alternatives; and

*Whereas*, the condition of Pennsylvania's housing stock and urban infrastructure has deteriorated in recent years, making many core communities less than attractive places in which to live or to do business; and


*Whereas*, Pennsylvania's economic future may well depend on the revitalization of these core communities; and

*Whereas*, though several Commonwealth agencies have policies and programs designed to address housing and community revitalization, there is currently no single agency of state government or other high-level office or official responsible for the overall housing and community revitalization policy of the Commonwealth; and

*Whereas*, the coordination of policy and program development across agency lines will foster more comprehensive, effective, and efficient use of scarce resources, and will enhance the evaluation of program delivery; and

*Whereas*, creating a single focal point for state housing policy will enable the Commonwealth to develop more productive partnerships with federal agencies and programs, as well as foundations and other charitable organizations.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority invested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby establish the Governor's Office of Housing and Community Revitalization (hereinafter referred to as the "Office") and the Governor's Housing Cabinet (hereinafter referred to as the "Cabinet"), and do order and direct as follows:



Governor

**Fiscal Note:** GOV 03-12. No fiscal impact; (8) recommends adoption.

#### Annex A

#### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

#### Subchapter H. GOVERNOR'S OFFICE OF HOUSING AND COMMUNITY REVITALIZATION

#### GOVERNOR'S OFFICE OF HOUSING AND COMMUNITY REVITALIZATION

Sec.	
6.71.	Establishment.
6.72.	Executive Director.
6.73.	Administrative support.
6.74.	Responsibilities.

## GOVERNOR'S HOUSING CABINET

- 6.81. Establishment and membership.  
6.82. Powers and duties.

## RESPONSIBILITIES OF COMMONWEALTH AGENCIES

- 6.91. Cooperation by Commonwealth agencies.

## TERM

- 6.101. Effective date.

## GOVERNOR'S OFFICE OF HOUSING AND COMMUNITY REVITALIZATION

**§ 6.71. Establishment.**

The Governor's Office of Housing and Community Revitalization is created.

**§ 6.72. Executive Director.**

The Governor will appoint an Executive Director who serves at the pleasure of the Governor. The Executive Director shall manage the Office of Housing and Community Revitalization and report to the Governor.

**§ 6.73. Administrative support.**

(a) In accordance with an appropriate resolution of its governing board, the Pennsylvania Housing Finance Agency (Agency) shall provide appropriate support services and other resources for the operation of the Office of Housing and Community Revitalization (Office).

(b) The staff of the Office serves as part of the complement of the Agency, but the substantive operations of the Office shall be conducted independently of the Agency.

(c) The operations of the Office shall be consistent with Agency policies and procedures, including its fiscal and audit requirements.

(d) The Office shall annually provide an accounting of all expenditures made by the Office to the Agency.

(e) The Executive Director of the Office shall serve as an advisor to the board of the Agency and shall report to the Governor's Office.

**§ 6.74. Responsibilities.**

The responsibilities of the Office of Housing and Community Revitalization (Office) shall be to:

- (1) Coordinate overall housing policy for the Commonwealth.
- (2) Serve as primary liaison among all State agency programs, resources and policy areas involved in housing and community revitalization.
- (3) Make recommendations to the Governor on housing policy and community revitalization matters, including legislative issues and program development, and advise the Governor of the results of the recommendations.
- (4) Represent the Governor in developing partnerships with appropriate public and private housing agencies, including the Federal Home Loan Banks, Fannie Mae, Freddie Mac, the United States Department of Housing and Urban Development, Rural Housing Services and foundations and other charitable entities. In these activities, the Office shall coordinate its efforts with those of the Agency and the Department of Community and Economic Development.
- (5) Participate in special projects as directed by the Governor.
- (6) Exercise other responsibilities and duties as directed by the Governor.

## GOVERNOR'S HOUSING CABINET

**§ 6.81. Establishment and membership.**

(a) The Governor's Housing Cabinet (Cabinet) is established and consists, at a minimum, of the following members:

- (1) Executive Director of the Governor's Office of Housing and Community Revitalization, who is chairperson of the Cabinet.

- (2) The Secretary of Banking.
  - (3) The Secretary of Community and Economic Development.
  - (4) The Secretary of Environmental Protection.
  - (5) The Secretary of Labor and Industry.
  - (6) The Secretary of Public Welfare.
  - (7) The Secretary of Transportation.
  - (8) The Secretary of Aging.
  - (9) The Executive Director of the Pennsylvania Infrastructure Investment Authority (PENNVEST).
  - (10) The Governor's Chief of Staff or a designee.
  - (11) The General Counsel or a designee.
  - (12) The Governor's Director of Policy or a designee.
- (b) The Governor will appoint additional members to the Cabinet as deemed appropriate.

**§ 6.82. Powers and duties.**

The Governor's Housing Cabinet (Cabinet) has the following powers and duties:

- (1) Advise and assist the Governor and the Office of Housing and Community Revitalization in identifying opportunities to improve the management or operation of State government programs affecting housing.
- (2) Assist in the development and implementation of housing strategies and programs, including the identification of barriers to sound housing policy and program efficiency and appropriate program performance measures.
- (3) Assist in evaluating the efficacy of the management of housing programs.
- (4) Carry out other responsibilities assigned to the Cabinet by the Governor.

**RESPONSIBILITIES OF COMMONWEALTH AGENCIES**

**§ 6.91. Cooperation by Commonwealth agencies.**

The Office of Housing and Community Revitalization (Office) does not have direct responsibility for the day-to-day operations of any State agency. Commonwealth agencies under the direction of the Governor shall cooperate with the Office and the Governor's Housing Cabinet (Cabinet). At a minimum, Commonwealth agencies shall:

- (1) Provide information, records and materials as necessary for the Office and the Cabinet to carry out their responsibilities.
- (2) Recommend to the Office and the Cabinet areas of investigation that might result in improvements to State government housing programs.

**TERM**

**§ 6.101. Effective date.**

This subchapter shall take effect immediately and shall expire September 11, 2006.

[Pa.B. Doc. No. 03-1925. Filed for public inspection October 3, 2003, 9:00 a.m.]

# GOVERNOR'S OFFICE

## Proclamation of Disaster Emergency

September 18, 2003

*Whereas*, The spring and summer seasons have been unusually wet and the ground is heavily saturated throughout the Commonwealth resulting in severe flooding in numerous northwestern and northeastern counties; and

*Whereas*, on September 14th and 15th heavy rains caused severe and widespread flooding in Chester County and surrounding counties resulting in extensive damage to public and private property; and

*Whereas* ongoing monitoring and projections made at my direction have disclosed that Hurricane Isabel is going to strike the Commonwealth of Pennsylvania; and

*Whereas*, Hurricane Isabel has the potential to cause widespread and unusually heavy rains and high winds throughout the Commonwealth of Pennsylvania, which in turn poses a serious threat for flash flooding and other adverse impacts throughout the state; and

*Whereas*, Hurricane Isabel's potentially heavy rains, high winds, and risk of flash flooding may result in extensive damage to roads, streets, bridges, private homes, and businesses, and may cause other adverse impacts upon the general population of Pennsylvania; and

*Whereas*, the emergency situation caused by Hurricane Isabel may be of such magnitude and severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county, and municipal emergency response plans.

*Now Therefore*, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq.), I do hereby proclaim the existence of a disaster emergency in the Commonwealth of Pennsylvania and I direct all Commonwealth agencies and departments to utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency situation.

*Further*, I hereby transfer up to \$5 million in unused appropriated funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for disaster-related expenses that may be incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. All Commonwealth agencies and departments purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under Section 516; and

*Further*, I hereby direct the Pennsylvania Emergency Management Agency to activate and fully staff the State Emergency Operations Center for the duration of this emergency situation and to augment it with personnel from other state agencies and departments. I also authorize the Agency to coordinate and direct the emergency preparedness and response activities of other state agencies and departments as deemed necessary to deal with the exigencies of this impending emergency situation through implementation of the State Emergency Operations Plan; and

*Further*, I hereby authorize the Secretary of Transportation to use all available equipment, resources, and personnel of the Department of Transportation, in whatever manner that he deems necessary, to ensure that all state highways in the potential disaster emergency area are cleared of debris and any other obstructions that may result from this hurricane. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and person-

nel to assist local jurisdictions in the clearing and removal of debris and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property; and

*Further*, I hereby authorize the Secretary of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner he deems necessary, to ensure that highways, bridges, roadbeds, and related facilities and structures, including federal-aid highways, that may sustain damage in the disaster emergency area are immediately repaired, maintained, reconstructed, or replaced or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the ability of the Department to respond immediately and effectively in repairing, maintaining, reconstructing, or replacing any potentially damaged highways, bridges, roadbeds, and related facilities and structures, including federal-aid highways, and areas adjacent thereto, or in undertaking necessary new construction; and

*Further*, I have directed that the emergency response and recovery aspects of the Commonwealth and all applicable county, municipal, and other disaster emergency response and recovery plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

*Further*, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of the emergency/disaster proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the potential danger to public health and safety caused by the aforementioned emergency; and

*Still Further*, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this Proclamation, namely: by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

*Given* under my hand and the Seal of the Governor, at the city of Harrisburg, this 18th day of September in the year of our Lord, two thousand and three and of the Commonwealth, the two hundred and twenty-eighth.

*Edmund G. Rendall*

Governor

[Pa.B. Doc. No. 03-1926. Filed for public inspection October 3, 2003, 9:00 a.m.]