

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

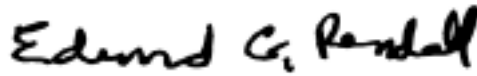
[4 PA. CODE CH. 7]

[EXECUTIVE ORDER NO. 1980-18 Revision No. 3 Amended]

Code of Conduct

May 9, 2007

By virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, hereby revise Part I, Section 1 of Executive Order 1980-18, page 1, as follows:



Governor

Fiscal Note: GOV 07-07. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 7. MISCELLANEOUS PROVISIONS

Subchapter K. CODE OF CONDUCT FOR APPOINTED OFFICIALS AND STATE EMPLOYEES

RESTRICTED ACTIVITIES: CONFLICTS OF INTEREST

§ 7.151. Adverse pecuniary interest.

An employee, appointee or official in the Executive Branch of the Commonwealth may not do the following:

(1) Engage directly or indirectly in business transactions or private arrangement for profit which accrues from or is based upon his official position of authority.

(2) Participate in the negotiation of our decision to award contracts, the settlement of claims or charges in contracts, the making of loans, the granting of subsidies, the fixing of rates, or the issuance of permits, certificates, guarantees or other things of value to, with or for an entity in which he has a financial or personal interest.

(3) Hold any pecuniary interest in, or own shares or securities issued by, an entity regulated by 4 Pa.C.S. Part II (relating to the Pennsylvania Race horse Development and Gaming Act) (herein, a "regulated gaming entity"). This provision does not apply to interests held:

(i) In mutual funds when the value of the interest owned does not exceed 1% of the total fair market value of the regulated gaming entity.

(ii) Through defined benefit pension plans.

(iii) Through a deferred compensation plan organized and operated under section 457 of the Internal Revenue Code of 1986 (26 U.S.C.A. § 457).

(iv) Through a tuition account plan organized and operated under section 529 of the Internal Revenue Code (26 U.S.C.A. § 529).

(v) Through a plan described in section 401(k) of the Internal Revenue Code (26 U.S.C.A. § 401(k)).

(vi) In an employer profit-sharing plan qualified under the Internal Revenue Code.

(vii) In a regulated gaming entity prior to July 6, 2004, by individuals other than the following:

(A) Employees of the Pennsylvania State Police or the Department of Revenue whose duties include any aspect of the gaming industry.

(B) Members of the State Horse Racing Commission or the State Harness Racing Commission and their respective staff.

(C) Public officials appointed by the Governor and Commonwealth employees under the Governor's jurisdiction.

(D) Members of the board of the Public School Employees Retirement System and its employees.

(E) Members of the board of the State Employees Retirement System and its employees.

(F) Members of the board of the Independent Regulatory Review Commission and its employees.

CRIMINAL CHARGES

§ 7.179. Recissions.

Executive Orders 1974-6 and 1978-7 are rescinded. This amended Order replaces Executive Order 1980-18, dated September 3, 1980, and revised 1—9 thereto. Executive Order 1980-18 Revision No. 2, date July 5, 2004, is rescinded.

[Pa.B. Doc. No. 08-910. Filed for public inspection May 16, 2008, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2006-09]

Governor's Cabinet for People With Disabilities and Governor's Advisory Committee for People With Disabilities

November 21, 2006

Whereas, discrimination against individuals or groups by reason of disability is unlawful; and

Whereas, such discrimination based upon disability threatens the rights and privileges of residents of the Commonwealth; and

Whereas, the denial of equal employment, housing, and public accommodation opportunities because of such discrimination, and the failure to use the productive abilities of individuals to their fullest extent, deprive people with disabilities from opportunities to enhance their standard of living; and

Whereas, the public health, safety, and general welfare of the Commonwealth is promoted by providing equal opportunities for all individuals, regardless of disability, to public accommodation and secure, accessible, affordable housing accommodation and commercial property; and

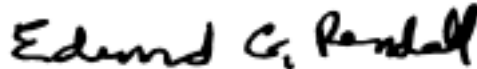
Whereas, services and programs provided by the Commonwealth for individuals with disabilities and their families and guardians should be provided in a timely manner that promotes independent living, enables people to obtain and maintain employment, and supports people with disabilities in the least restrictive environment; and

Whereas, the Commonwealth should strive to promote the employment of all individuals in accordance with their fullest abilities to safeguard their right to obtain and hold employment without discrimination; and

Whereas, a state-level office is needed to advise and assist the Office of the Governor and departments within State government in developing policies addressing the concerns of individuals with disabilities; and

Whereas, access to the office will enable individuals with disabilities and their families and guardians to have their concerns and issues addressed.

Now, Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby create the Governor's Cabinet for People with Disabilities and the Governor's Advisory Committee for People with Disabilities and do order and direct as follows.



Governor

Fiscal Note: GOV 06-13. (1) General Fund; (2) Implementing Year 2006-07 is less than \$100,000; (3) 1st Succeeding Year 2007-08 is less than \$100,000; 2nd Succeeding Year 2008-09 is less than \$100,000; 3rd Succeeding Year 2009-10 is less than \$100,000; 4th Succeeding Year 2010-11 is less than \$100,000; 5th Succeeding Year 2011-12 is less than \$100,000; assumed 2% cost increases for succeeding years; (4) 2004-05 Program—\$0; 2005-06 Program—\$0; 2006-07 Program—\$0; (7) DPW—General Government Operations; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter W. GOVERNOR'S CABINET FOR PEOPLE WITH DISABILITIES AND GOVERNOR'S ADVISORY COMMITTEE FOR PEOPLE WITH DISABILITIES

- Sec.
6.301. Governor's Cabinet for People with Disabilities.
6.302. Governor's Advisory Committee for People with Disabilities
6.303. Responsibilities of Commonwealth agencies.
6.304. Reports and studies.

§ 6.301. Governor's Cabinet for People with Disabilities.

(a) *Establishment.* The Governor's Cabinet for People with Disabilities (Cabinet) is created.

(b) *Executive Director.* The Governor will appoint an Executive Director of the Cabinet.

(c) *Membership.* The Cabinet shall consist of the following members, who serve by virtue of their public position:

(1) Secretary of Public Welfare, who shall serve as Chairperson of the Cabinet.

(2) Secretary of Labor and Industry.

(3) Secretary of Health.

(4) Secretary of Education.

(5) Secretary of Transportation.

(6) Secretary of the Budget.

(7) Secretary of Aging.

(8) Secretary of Policy and Planning.

(9) Director of the Governor's Office of Health Care Reform.

(10) Chairperson of the Pennsylvania Human Relations Commission.

(11) Executive Director of the Governor's Office of Housing and Community Revitalization.

(12) Executive Director of the Pennsylvania Developmental Disabilities Council.

(13) Executive Director of the Governor's Office for People with Disabilities.

(14) Executive Director of the Governor's Long Term Living Council.

(d) *Responsibilities.* The responsibilities of the Cabinet are as follows:

(1) Make recommendations to the Governor on policies, procedures, regulations and legislation that aid people with disabilities in this Commonwealth.

(2) Serve as the Governor's liaison to people with disabilities on policies, procedures, regulations and legislation that affect people with disabilities to ensure that State government is accessible, accountable and responsive to people with disabilities.

(3) Serve as a resource to all departments, commissions and agencies under the Governor's jurisdiction to ensure that these government entities are cognizant of the needs of people with disabilities and that their respective services and programs are accessible to those individuals.

(4) Work with the Administration and agencies to monitor the hiring, retention and promotion practices of the Commonwealth relating to the employment of people with disabilities to ensure that there are no discriminatory practices within this Commonwealth.

§ 6.302. Governor's Advisory Committee for People with Disabilities.

(a) *Establishment and responsibilities.* The Governor's Advisory Committee for People with Disabilities (Committee) is established and shall serve in an advisory capacity to the Governor's Cabinet for People with Disabilities in matters regarding people with disabilities in this Commonwealth.

(b) *Membership.* The Committee shall consist of the following members, with a Chairperson to be designated by the Governor:

(1) The Governor will appoint as members people with disabilities, including individuals from existing stakeholder groups, in a number as he deems appropriate.

(2) At a minimum, 60% of these members shall be people with disabilities or family members of people with disabilities.

(3) These Committee members serve at the pleasure of the Governor.

(c) *Compensation and expenses.* The members of the Committee do not receive a salary or per diem allowance for serving as members of the Committee, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties in accordance with Commonwealth policy. See 4 Pa. Code Chapter 40 (relating to travel and subsistence).

§ 6.303. Responsibilities of Commonwealth agencies.

Agencies under the jurisdiction of the Governor shall cooperate with and provide any necessary assistance to the Governor's Cabinet and Governor's Committee for People with Disabilities in performing their functions.

§ 6.304. Reports and studies.

The Cabinet for People with Disabilities may conduct studies and issue reports upon request and as it deems necessary on issues affecting people with disabilities in this Commonwealth.

§ 6.305. Effective date.

This subsection shall take effect immediately and remain in effect unless revised or rescinded by the Governor.

[Pa.B. Doc. No. 08-911. Filed for public inspection May 16, 2008, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE
[4 PA. CODE CH. 6]
[EXECUTIVE ORDER NO. 2006-07]
Governor's Pandemic Advisory Council

July 27, 2006

Whereas, influenza pandemics have occurred three times in the last century, and history and science suggest that the country and the world could face one or more pandemics in this century;

Whereas, the Spanish Flu of 1918 was the most widely-reaching, lethal pandemic the world has ever known, and within 10 months, one in four Americans had contracted the disease and more than 675,000 Americans died, and globally, an estimated 20 to 40 million people died;

Whereas, influenza outbreaks can occur in many different locations simultaneously, causing severe illness, death and disruption throughout the country and the world;

Whereas, highly pathogenic H5N1 avian influenza in birds has demonstrated an ability to spread across National boundaries through both human and wild bird activity, and has the potential to have a detrimental impact on the Commonwealth's valuable poultry industry, as well as other industries, if and when it arrives here;

Whereas, preparing for an influenza pandemic requires coordinated action at all levels of Federal, State and local governments, and all sectors of society, including businesses, schools, faith-based and community organizations, families and individuals;

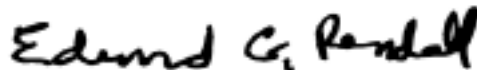
Whereas, Pennsylvania is committed to being a leader in pandemic preparation by monitoring international and domestic outbreaks, by providing funding and technical assistance to foster State and local preparedness and by stockpiling and distributing vaccines and antivirals;

Whereas, states and local communities are responsible for responding to an outbreak within their jurisdictions and having comprehensive pandemic preparedness plans and measures in place to protect their citizens;

Whereas, response planning for pandemic influenza should be integrated into the Commonwealth's and its State agencies' all-hazards response plan and be consistent with the National Response Plan, the National Incident Management System and the Incident Command System; and

Whereas, all-hazard preparedness will help communities address any type of medical emergency and will have lasting benefits for the health of our Nation.

Now Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby create the Governor's Pandemic Advisory Council (hereafter referred to as "Council") as the Commonwealth's entity to provide guidance to the Commonwealth's action and activities for pandemic planning and preparedness.



Governor

Fiscal Note: GOV 06-07. (1) General Fund; (2) Implementing Year 2006-07 is \$7,503; (3) 1st Succeeding Year 2007-08 is \$11,549; 2nd Succeeding Year 2008-09 is \$11,780; 3rd Succeeding Year 2009-10 is \$12,016; 4th Succeeding Year 2010-11 is \$12,256; 5th Succeeding Year 2011-12 is \$12,501 assumed 2% cost increases for succeeding years; (4) 2004-05 Program—\$74,434,000; 2005-06 Program—\$65,963,000; 2006-07 Program—\$80,750,000; (7) Executive Authorization—Public Health Emergency Preparedness and Response; (8) recommends adoption.

Annex A
TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE
CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES
Subchapter Y. GOVERNOR'S PANDEMIC ADVISORY COUNCIL

Sec.	
6.321.	Functions.
6.322.	Composition and appointments.
6.323.	Compensation and expenses.
6.324.	Terms.
6.325.	Relationship with other agencies.
6.326.	Procedure.

§ 6.321. Functions.

The functions of the Governor's Pandemic Advisory Council (Council) are to:

(1) Make recommendations to the Governor on policies, procedures, regulations and legislation that would aid in increasing pandemic preparedness.

(2) Assist in raising preparedness levels by participating in local planning, outreach, exercises and regional summits.

(3) Create a communications and outreach subcommittee to serve as a resource to the Governor to:

(i) Review pandemic preparedness education and outreach efforts and recommend within 180 days of the first meeting of the Council additional methods to enable citizens to better understand the risks and how they should be prepared.

(ii) Serve as a resource to all Pennsylvanians to ensure that Pennsylvanians are cognizant of the issues surrounding pandemic planning and preparedness and are prepared to respond.

(4) Create a volunteer recruitment and coordination subcommittee to serve as a resource to the Pennsylvania Emergency Management Agency, the Department of Agriculture and the Department of Health, and to develop a volunteer coordination and recruitment strategy to ensure resources are available locally to meet the needs of the citizens.

(5) Prepare an annual report to the Governor on the status of pandemic preparedness.

§ 6.322. Composition and appointments.

The Governor's Pandemic Advisory Council (Council) shall be composed of the following individuals:

(1) Governor's Chief of Staff, who shall serve as Chairperson of the Council.

(2) Secretary of Agriculture.

(3) Secretary of Health.

(4) Director of the Bureau of Community Health Systems, Department of Health.

(5) Secretary of Administration.

(6) Secretary of Policy and Planning.

(7) Commissioner of the Pennsylvania State Police.

(8) Director of the Pennsylvania Emergency Management Agency.

(9) Director of Homeland Security.

(10) Adjutant General.

(11) At least 25 individuals including representatives of the following entities, as appointed by the Governor:

(i) Four representatives of local government.

(ii) Three representatives of the Department of Agriculture's Bureau of Animal Health and Diagnostic Services.

(iii) Two representatives of county or local government emergency preparedness communities.

(iv) Two representatives of universities/colleges.

(v) One representative of secondary education.

(vi) Three representatives of hospitals.

(vii) Three representatives of business/industry, to include one representative from a financial institution.

(viii) Three representatives of human service agencies.

(ix) Two representatives of faith-based organizations.

(x) One representative of a media/communication entity.

(xi) One representative of a utility company.

§ 6.323. Compensation and expenses.

The members of the Governor's Pandemic Advisory Council (Council) do not receive a salary or per diem allowance for serving as members of the Council but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties in accordance with Commonwealth policy. The Department of Health will provide staff resources and funding support to the Council. See 4 Pa. Code Chapter 40 (relating to travel and subsistence).

§ 6.324. Terms.

(a) The terms of the members of the Governor's Pandemic Advisory Council (Council) shall be 3 years, but an individual may not be term limited.

(b) Council members, other than those serving by virtue of their office, shall be appointed by, and serve at the pleasure of, the Governor.

§ 6.325. Relationship with other agencies.

Agencies under the jurisdiction of the Governor shall cooperate with and provide any necessary assistance to the Governor's Pandemic Advisory Council in performing its functions.

§ 6.326. Procedure.

The Governor's Pandemic Advisory Council is authorized to establish subcommittees, rules and procedures for the effective implementation of its functions consistent with this subchapter.

[Pa.B. Doc. No. 08-912. Filed for public inspection May 16, 2008, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2006-06]

Pennsylvania Abraham Lincoln Bicentennial Commission

June 30, 2006

Whereas, Abraham Lincoln, the sixteenth President of the United States of America led the Nation with both courage and compassion during one of the most turbulent periods of American history; and

Whereas, Abraham Lincoln delivered his transformational speech in Gettysburg on November 19, 1863, invoking the basic principles of human equality espoused in the Declaration of Independence, thereby redefining the objective of the American Civil War from saving the union to fostering "a

new birth of freedom” and refocusing the underlying purpose of government to be an institution “of the people, by the people and for the people”; and

Whereas, Abraham Lincoln took inspiration from the phrase in the Declaration of Independence signed at Independence Hall, Philadelphia, in 1776, that “all men are created equal” by leading the effort to fulfill the promise of this great Nation in order to bring an end to slavery; and

Whereas, Lincoln’s Gettysburg Address joins the Declaration of Independence and the United States Constitution, each crafted in Pennsylvania, as one of the most significant articulations of the purpose and promise of the American people; and

Whereas, Abraham Lincoln traveled widely throughout the Commonwealth of Pennsylvania, including when he traveled to Erie, Pittsburgh, Lancaster, Philadelphia and Harrisburg on his way to his inauguration; and

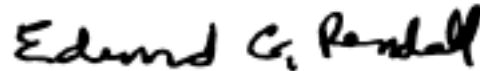
Whereas, events in Pennsylvania before and during Lincoln’s Administration profoundly affected Lincoln’s presidency; and

Whereas, the year 2009 will mark the bicentennial of the birth of Abraham Lincoln on February 12, 1809; and

Whereas, there is a National effort underway to commemorate the bicentennial anniversary of Abraham Lincoln’s birth and to honor the legacy of his service and sacrifice to his country; and

Whereas, in recognition of the prominent role that Pennsylvania and Pennsylvanians played in the life and times of Abraham Lincoln, Pennsylvania historical, tourist and civic groups are preparing events and activities to commemorate the bicentennial of Lincoln’s birth.

Now, Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do formally establish the Pennsylvania Abraham Lincoln Bicentennial Commission and do order and direct as follows.



Governor

Fiscal Note: GOV 06-06. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR’S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter X. PENNSYLVANIA ABRAHAM LINCOLN BICENTENNIAL COMMISSION

Sec.	
6.311.	Establishment and purpose.
6.312.	Membership.
6.313.	Purpose and responsibility.
6.314.	Termination.

§ 6.311. Establishment and purpose.

(a) The Pennsylvania Abraham Lincoln Bicentennial Commission (Commission) is established to organize, arrange and coordinate bicentennial tributes to Abraham Lincoln in this Commonwealth and to coordinate those activities with the Abraham Lincoln Bicentennial Commission (National Commission) of the Federal government as well as other interested parties.

(b) The Commission shall be based at Gettysburg College (College). The Commission shall receive support from the College, which shall be assisted by the Commonwealth, including, as necessary, the Office of the Governor, the Pennsylvania Historical and Museum Commission, the Pennsylvania Department of Community and Economic Development, the Pennsylvania

Department of Education and other agencies of State government as the Governor deems appropriate to be involved in planning and organizing bicentennial celebrations.

§ 6.312. Membership.

The Abraham Lincoln Bicentennial Commission (Commission) shall include the following individuals or their respective designees:

- (1) Governor.
- (2) President of Gettysburg College.
- (3) Director of the Civil War Institute at Gettysburg College.
- (4) Speaker of the Pennsylvania House of Representatives.
- (5) Minority Leader of the Pennsylvania House of Representatives.
- (6) President Pro Tempore of the Pennsylvania Senate.
- (7) Minority Leader of the Pennsylvania Senate.
- (8) Secretary of the Community and Economic Development.
- (9) Secretary of Education.
- (10) Secretary of the Conservation and Natural Resources.
- (11) Executive Director of the Pennsylvania Historical and Museum Commission.
- (12) Executive Director of the Pennsylvania Council on the Arts.
- (13) Executive Director of the Pennsylvania Public Television Network.
- (14) Executive Director of the Pennsylvania Humanities Council.
- (15) Superintendent of the Gettysburg National Military Park.
- (16) President of the Board of the Philadelphia Area Consortium of Special Collections Libraries.
- (17) President of the Senator John Heinz Pittsburgh Regional History Center.
- (18) Executive Director of the Abraham Lincoln Foundation of the Union League of Philadelphia.
- (19) President of the Pittsburgh Cultural Trust.
- (20) Six members from the general public representing areas of academia, business, arts, community development, historic preservation and civil rights. The Governor will appoint the Chairperson of the Commission. Members serve without compensation, but may be reimbursed for expenses. See 4 Pa. Code Chapter 40 (relating to travel and subsistence).

§ 6.313. Purpose and responsibility.

The purpose and responsibilities of the Abraham Lincoln Bicentennial Commission include the following:

- (1) Lead Pennsylvania's planning efforts to commemorate the significance of Abraham Lincoln to our State and National history.
- (2) Make recommendations outlining the most effective and appropriate means for the Commonwealth to commemorate the Abraham Lincoln Bicentennial Celebration.
- (3) Identify and pursue resources necessary to effectively communicate and implement commemorative activities.
- (4) Implement recommendations by working with the Office of the Governor, appropriate State and local government agencies, members of the General Assembly and organizations that are interested in commemorating the life of Abraham Lincoln.
- (5) Coordinate communications with the Abraham Lincoln Bicentennial Congressional Caucus to ensure that this Commonwealth will be a significant state for events recognizing the contributions of Abraham Lincoln.

(6) Coordinate scheduling of Pennsylvania Abraham Lincoln bicentennial activities and coordinate activities with the National Commission.

(7) Submit an annual report to the Governor and the General Assembly summarizing its activities and findings and making recommendations for Abraham Lincoln commemorative activities.

(8) Consider sponsoring an event on November 19, 2006, in Gettysburg, Pennsylvania to commemorate the Bicentennial of Abraham Lincoln's birthday of February 12, 1809.

§ 6.314. Termination.

This subchapter shall take effect immediately and expire December 31, 2009.

[Pa.B. Doc. No. 08-913. Filed for public inspection May 16, 2008, 9:00 a.m.]
