

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CHS. 5 AND 6]

[EXECUTIVE ORDER NO. 2012-10]

Governor's Advisory Commission on Latino Affairs

July 9, 2012

Whereas, Latinos in Pennsylvania make unique, diverse and valuable contributions to the culture, society and economy of Pennsylvania, which have a beneficial impact on life in the Commonwealth; and

Whereas, the Commonwealth is committed to providing equality and opportunity for all its citizens, including increased access for Latinos to civic, economic and educational opportunities in Pennsylvania; and

Whereas, it will benefit the Commonwealth to define and address the unique contributions, needs and concerns of the Latino community, in order to improve the lives of all Pennsylvanians.

Now, Therefore, I, Tom Corbett, 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 hereby reestablish the Governor's Advisory Commission on Latino Affairs as the Commonwealth's advocate agency for Latinos as herein set forth.



Governor

Fiscal Note: 2012-10. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

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§ 6.521. Functions.

The Governor's Advisory Commission on Latino Affairs shall:

(1) Advise the Governor on policies, procedures, legislation and regulations that impact the Latino community.

(2) Develop, review and recommend to the Governor policies in the areas of health and human services, housing, education, employment, business formation and other relevant areas which impact the Latino community.

(3) Provide appropriate assistance and advice to the Pennsylvania Minority Business Development Authority and work with the Bureau of Equal Employment Opportunity within the Office of Human Resources Management in the Governor's Office of Administration to strengthen the enforcement of the Commonwealth's antidiscriminatory hiring, retention and promotion policies.

(4) Serve as a liaison to Federal, State and local agencies to ensure that programs impacting the Latino community are effectively utilized and promoted.

(5) Serve as a resource for community groups and provide forums for developing strategies and programs that will expand and enhance the civic, social, educational, cultural and economic status of the Latino community.

(6) Identify programs, scholarships, mentoring programs, sources of funding or other resources for the benefit and advancement of Latinos.

(7) Promote the cultural arts of the Latino community throughout this Commonwealth.

§ 6.522. Composition.

(a) The Governor's Advisory Commission on Latino Affairs (Commission) shall consist of no more than 25 members appointed by the Governor who are representatives of the Latino community in this Commonwealth or others who have an interest in the success of the Latino community and provide value to the work of the Commission.

(b) The Governor will designate one Commission member or the Executive Director of the Commission to serve as chairperson. The Governor may designate one Commission member or the Executive Director of the Commission to serve as vice-chairperson of the Commission. The chairperson and vice-chairperson serve at the pleasure of the Governor.

(c) The Governor will appoint an Executive Director of the Commission who serves at the pleasure of the Governor and who may be a member of the Commission.

§ 6.523. Terms of membership.

(a) Members will be appointed for terms of 2 years and continue to serve until successors are appointed. A member may be reappointed for one or more additional terms. Members serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Governor's Advisory Commission on Latino Affairs (Commission), the Governor will appoint a successor. The successor will be appointed for a full 2-year term. A successor may be reappointed for one or more additional terms.

(c) A member who is absent from two consecutive meetings of the Commission, without excuse, shall forfeit membership on the Commission.

§ 6.524. Compensation.

Members of the Governor's Advisory Commission on Latino Affairs will not receive compensation for their service except that members may be reimbursed for travel in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.525. Relationship with other agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Advisory Commission on Latino Affairs to carry out its functions effectively.

§ 6.526. Reports.

The Governor's Advisory Commission on Latino Affairs may submit reports to the Governor or the Governor's designee, as it deems necessary, on issues affecting Latinos in this Commonwealth.

§ 6.527. Procedures.

(a) The Governor's Advisory Commission on Latino Affairs (Commission) is authorized to establish subcommittees and rules and procedures for the effective implementation of its functions consistent with this subchapter. Subcommittees may include advisory nonmembers, if approved by the Commission chairperson.

(b) A majority of the Commissioners serving at any time constitutes a quorum.

§ 6.528. Effective date.

This subchapter takes effect July 9, 2012, and remains in effect unless revised or rescinded by the Governor.

§ 6.529. Rescission.

Executive Order 2003-9 is rescinded.

[Pa.B. Doc. No. 12-1498. Filed for public inspection August 10, 2012, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE
[4 PA. CODE CHS. 7 AND 7a]
[EXECUTIVE ORDER NO. 2012-11]
Permit Decision Guarantee for the Department of Environmental Protection

July 24, 2012

Whereas, it is the Commonwealth's constitutional responsibility to conserve and maintain Pennsylvania's public natural resources for generations yet to come; and

Whereas, the Commonwealth fulfills this mission in part through the granting of permits and other approvals ("permits") by the Department of Environmental Protection (the "Department") for specific regulated activities; and

Whereas, the Department's permitting function places significant responsibilities and obligations on the regulated community—individuals, small businesses, local governments and industry alike; and

Whereas, delays in making permitting decisions often have significant impacts on the individual, government and business planning processes and do not enhance the ability of the Department to protect the Commonwealth's natural resources; and

Whereas, both the Commonwealth and its diverse population have a vital interest in timely answers within reasonable time frames, but not at the expense of public comment and good environmental decisions; and

Whereas, permit applicants have the responsibility to submit applications that are complete and meet all requirements and include all information necessary for the agency to make a decision; and

Whereas, Executive Order 1995-5 Money-Back Guarantee Permit Review Program for the Department of Environmental Protection issued by Governor Thomas J. Ridge on August 23, 1995, established definitive processing times for permit applications under review by the Department; and

Whereas, the Department has identified further improvements to its permitting processes that can build on the successes of Executive Order 1995-5, Money-Back Guarantee Permit Review Program for the Department of Environmental Protection.

Now, Therefore, I, Tom Corbett, 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 hereby establish the Permit Decision Guarantee for the Department of Environmental Protection, as hereinafter set forth.



Governor

Fiscal Note: 2012-11. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 7. MISCELLANEOUS PROVISIONS

Subchapter RR. (Reserved)

Sec.
7.651—7.659. (Reserved).

CHAPTER 7a. ADDITIONAL MISCELLANEOUS PROVISIONS

**Subchapter H. PERMIT DECISION GUARANTEE FOR THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Sec.
7a.91. Types of permits covered.
7a.92. Applicant responsibilities.
7a.93. Department of Environmental Protection responsibilities.
7a.94. Coordinated permits.
7a.95. Staff evaluation.
7a.96. Information technology tools.
7a.97. Effective date.
7a.98. Termination date.
7a.99. Rescission.

§ 7a.91. Types of permits covered.

This subchapter authorizes the Department of Environmental Protection (Department) to establish by policy, using an open and participatory process, the elements of the Permit Decision Guarantee Program and the specific permits covered by the permit decision guarantee. Permits may include those with the most direct impacts on protection of public health, safety and the environment, as well as economic development. The Department will periodically revise and republish the policy as needed. Notice of these actions will be published in the *Pennsylvania Bulletin*.

§ 7a.92. Applicant responsibilities.

The permit applicant is responsible for submitting an application that contains the information needed by the Department of Environmental Protection (Department) to make a decision and meets applicable environmental statutory and regulatory requirements. The applicant is encouraged to schedule a preapplication conference with the Department as soon as practicable to discuss the permitting needs for the total project.

§ 7a.93. Department of Environmental Protection responsibilities.

The Department of Environmental Protection (Department) will establish clear guidance that describes permit application requirements. The permit decision guarantee policy (policy) developed by the Department for implementation of this subchapter must include a predictable processing time for each permit application covered by the permit decision guarantee. The policy must establish that the Department will strive to process environmentally-protective applications as expeditiously as possible but no longer than the established processing times. The policy must indicate that only applications that are complete and technically adequate are eligible for the permit decision guarantee and that incomplete or severely deficient applications will be returned to the applicant. The processing time is the

total number of business days beginning with the receipt of an application and ending with the final action by the Department.

§ 7a.94. Coordinated permits.

The Department of Environmental Protection (Department) will coordinate the review of applications for projects with multiple permits. The Department will develop and update, as needed, a permit coordination policy that is consistent with the permit decision guarantee.

§ 7a.95. Staff evaluation.

The Department of Environmental Protection will establish performance standards for staff engaged in permit reviews and consider compliance with the review deadlines a factor in job performance evaluations.

§ 7a.96. Information technology tools.

The Department of Environmental Protection will develop, implement and improve available information tools to include an automated system, when possible, for notifications, permit applications, form letters regarding application completeness and technical deficiency, and general permit registration notifications.

§ 7a.97. Effective date.

This subchapter takes effect July 24, 2012. Applications received by the Department of Environmental Protection on or after July 24, 2012, are included in the Permit Decision Guarantee Program.

§ 7a.98. Termination date.

This subchapter remains in effect until amended or rescinded by the Governor.

§ 7a.99. Rescission.

Executive Order 1995-5 is rescinded.

[Pa.B. Doc. No. 12-1499. Filed for public inspection August 10, 2012, 9:00 a.m.]