

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER NO. 2018-01 AS AMENDED]

Governor's Office of Performance Through Excellence (OPE)

September 10, 2020

Whereas, a growing body of evidence shows that implementing performance management strategies can enhance the ability of government organizations to achieve continuous performance improvement; and

Whereas, evidence-based performance management strategies combine cross-agency coordination, outcome-focused goal setting, analysis of performance data, collaborative problem-solving, process improvement, risk management, and rigorous program evaluations; and

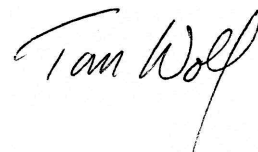
Whereas, evidence-based performance management strategies require a supportive workplace culture, wherein employees clearly understand their shared purpose and choose to actively collaborate in the pursuit of continuous performance improvement; and

Whereas, a performance management strategy for the Commonwealth will foster innovation among agencies and will help align agency policies and budgets with the Commonwealth's priority goals; and

Whereas, commitment to continuous performance improvement is vital to improving Pennsylvania state government for the benefit of the citizens of this Commonwealth; and

Whereas, designating an entity responsible for developing and implementing a strategy for continuously improving Commonwealth customer experience furthers the goals of establishing a Citizen-First Government, as ordered by Executive Order 2019-04.

Now, Therefore, I, Tom Wolf, 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 Governor's Office of Performance Through Excellence and do order and direct as follows:



Governor

Fiscal Note: GOV-2018-01 (Amended). No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter JJJ. GOVERNOR'S OFFICE FOR PERFORMANCE THROUGH EXCELLENCE

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§ 1.891. Mission.

The mission of the Governor's Office of Performance Through Excellence is to empower and enable employees at every level of State government to create an excellent experience for the Commonwealth's customers and to achieve measurable results for all residents of this Commonwealth.

§ 1.892. Governor's Office of Performance Through Excellence.

The Governor's Office of Performance Through Excellence (Office) is hereby created within the Executive Offices of the Governor.

(1) The Governor will appoint a member of his staff to serve as Director of the Office, who shall serve at the pleasure of the Governor.

(2) The Director of the Office shall report to the Governor.

(3) The Governor may appoint, to serve at his pleasure, individuals as he may deem appropriate to provide advice to the Office and the Director.

§ 1.893. Powers and duties.

The Governor's Office of Performance Through Excellence shall have the power and duty to:

(1) Develop and implement strategies for creating a Commonwealth workplace culture that fosters continuous improvement, wherein employees feel respected and empowered to innovate, solve problems and deliver greater value to customers;

(2) Develop and implement strategies for monitoring, managing and accelerating progress toward the Commonwealth's priority goals;

(3) Develop and implement strategies for measuring and improving the customer experience across multiple channels, such as online, phone and in-person, with the Commonwealth's services;

(4) Develop and implement enterprise risk management strategies that assess, mitigate and capitalize upon risks to the Commonwealth's priority goals;

(5) Consult with agencies, boards and commissions to identify opportunities to collaborate and partner with external entities to bring new ideas and best practices into State government;

(6) Promote cross-agency coordination and collaboration aimed at solving common problems and achieving shared goals;

(7) Build the capacity of Commonwealth agencies to implement strategies for performance management, customer experience improvement, risk management and create a workplace culture that supports continuous improvement through training, consultation and facilitation;

(8) Provide regular reports to the Governor and the heads of Commonwealth agencies that describe the status of specific priority objectives, identify barriers to achieving the objectives and recommend specific actions for improving performance;

(9) Publish on the Commonwealth's web site administration goals and progress;

(10) Work collaboratively with Commonwealth agencies to identify opportunities to leverage data, integrated business process automation and evidence for improving State government performance;

(11) Work collaboratively with Commonwealth agencies and the Office of the Budget to integrate performance data into the budget process; and

(12) Exercise all other necessary powers to ensure successful implementation of this subchapter, as permitted by law.

§ 1.894. Cooperation by Commonwealth agencies.

Agencies under the Governor's jurisdiction shall provide assistance to and cooperate with the Governor's Office of Performance Through Excellence (Office), as requested by the Office, in pursuit of the matters which are the subject of this subchapter.

§ 1.895. Independent agencies, State-affiliated entities and State-related entities.

Independent agencies, State-affiliated entities and State-related agencies are strongly encouraged to work with the Governor's Office of Performance Through Excellence and to implement continuous process improvements as envisioned by this subchapter.

§ 1.896. General provisions.

This subchapter shall be implemented consistent with applicable law. This subchapter is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies, or entities, its officers, employees or agents, or any other person.

§ 1.897. Effective date.

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

§ 1.898. Rescission.

Executive Order 2015-04, published at 48 Pa.B. 1087 (February 24, 2018), is hereby rescinded.

[Pa.B. Doc. No. 20-1385. Filed for public inspection October 9, 2020, 9:00 a.m.]

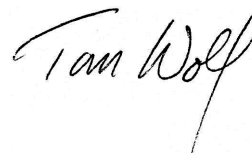
GOVERNOR'S OFFICE

Proclamation; House Bill No. 2025, Printer's No. 3907

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2019-2020:

House Bill No. 2025, Printer's No. 3907, entitled "An Act [a]uthorizing the Department of Environmental Protection to conduct a public comment process on and submit to the General Assembly a measure or action intended to abate, control or limit carbon dioxide emissions by imposing a revenue generating tax or fee on carbon dioxide emissions."

Given under my hand and the Great Seal of the Commonwealth, at the County of Dauphin, this twenty-fourth day of September, in the year of our Lord two thousand and twenty, and of the Commonwealth the two hundred and forty-fifth.



Governor

Attest:

JONATHAN MARKS,

Deputy Secretary for Elections and Commissions

[Pa.B. Doc. No. 20-1386. Filed for public inspection October 9, 2020, 9:00 a.m.]

GOVERNOR'S OFFICE**Notice of Veto; House Bill No. 2025, Printer's No. 3907**

September 24, 2020

To the Honorable House of Representatives of the
Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 2025, Printer's Number 3907.

Addressing the global climate crisis is one of the most important and critical challenges we face. This legislation is extremely harmful to public health and welfare as it prevents the Pennsylvania Department of Environmental Protection (Department) from taking any measure or action to abate, control or limit carbon dioxide emissions, a greenhouse gas and major contributor to climate change impacts, without prior approval of the General Assembly. Like every state in the country, the Commonwealth has already begun to experience adverse impacts from climate change, such as higher temperatures, changes in precipitation, and frequent extreme weather events, including large storms, flooding, heat waves, heavier snowfalls, and periods of drought. Reductions in carbon dioxide emissions are even more significant now as emerging evidence links chronic exposure to air pollution with higher rates of morbidity and mortality from COVID-19.

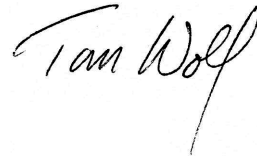
This legislation also prohibits the Commonwealth from participating in the Regional Greenhouse Gas Initiative (RGGI), a regional initiative among Northeast and Mid-Atlantic states to reduce greenhouse gas emissions while generating economic growth, unless additional legislation is enacted. RGGI participating states have reduced power sector carbon dioxide pollution by 45 percent since 2005, while the region's per-capita gross domestic product has continued to grow. By joining RGGI, Pennsylvania has the opportunity to make real progress on limiting climate change-causing carbon pollution while generating thousands of new jobs, providing for worker training, and offering future electric bill savings.

In addition to the legislation's failure to address climate change, the immediate effect of this legislation would be to halt a rulemaking package I directed the Department to develop by executive order pursuant to the authority of the Air Pollution Control Act to abate, control, or limit carbon dioxide emissions from fossil-fuel-fired electric power generators. The Regulatory Review Act and the Air Pollution Control Act afford the opportunity for extensive public participation, including public comment and public hearings, in the rulemaking process. Members of the General Assembly also have a robust role in the rulemaking process, including through their appointments on advisory committees and the Environmental Quality Board. This legislation creates burdensome and duplicative processes that will thwart the Department's ability to take any action to regulate the greenhouse gas most responsible for climate change in the transportation, industrial, and commercial sectors, as well as the electric power sector.

The citizens of this Commonwealth cannot afford to wait any longer. Given the urgency of the climate crisis facing Pennsylvania, the Commonwealth must take concrete, economically sound, and immediate steps to reduce greenhouse gas emissions. Allowing this legislation to become law would effectively deny that climate change is an urgent problem that demands prudent solutions.

For the reasons set forth above, I must withhold my signature from House Bill 2025, Printer's Number 3907.

Sincerely,

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive style with a long, sweeping tail on the letter "f".

Governor

[Pa.B. Doc. No. 20-1387. Filed for public inspection October 9, 2020, 9:00 a.m.]
