
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 260 Session of
2007

INTRODUCED BY D. EVANS, CALTAGIRONE, CAPPELLI, CURRY,
DePASQUALE, FREEMAN, GALLOWAY, HARHAI, HARPER, JAMES,
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SHAPIRO, SOLOBAY, STURLA, THOMAS, WANSACZ, WHEATLEY AND
YOUNGBLOOD, FEBRUARY 6, 2007

REFERRED TO COMMITTEE ON APPROPRIATIONS, FEBRUARY 6, 2007

AN ACT

1 Requiring executive agencies to prepare and submit strategic
2 plans, performance plans and performance reports; and
3 imposing additional powers and duties on the Office of the
4 Budget.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Government
9 Performance and Accountability Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Executive agency." The Governor and the departments,
15 boards, commissions, authorities and other officers and agencies
16 of the Commonwealth. The term shall not include any court or
17 other officer or agency of the unified judicial system, the

1 General Assembly and its officers and agencies, the Auditor
2 General, including the Board of Claims, the Treasury Department,
3 the Office of Attorney General or the Pennsylvania Public
4 Utility Commission.

5 "Performance goal." A target level of performance expressed
6 as a measurable objective against which actual achievement can
7 be compared, including a goal expressed as a quantitative
8 standard, value or rate.

9 "Program evaluation." An assessment through objective
10 measurement and systematic analysis of the manner and extent to
11 which Commonwealth programs achieve intended objectives.

12 Section 3. Strategic plans.

13 (a) Plan and content.--No later than September 30, 2007,
14 each executive agency shall submit to the Office of the Budget a
15 long-range strategic plan for improving the effectiveness and
16 efficiency of its operations in accordance with this section.
17 The plan shall include each of the following items or an
18 explanation why an item does not apply to the executive agency:

19 (1) A comprehensive mission statement covering the major
20 functions and operations of the agency.

21 (2) A statement of general goals and objectives,
22 including outcome-related goals and objectives, for the major
23 functions and operations of the agency.

24 (3) A description of plans and strategies for achieving
25 the general goals and objectives of the agency, including a
26 description of the operational processes and the resources
27 required to meet those goals and objectives.

28 (4) An identification of those key factors external to
29 the agency and beyond its control that could significantly
30 affect the achievement of the general goals and objectives.

1 (5) A description of the program evaluations to be used
2 by the agency in assessing its performance in meeting its
3 general goals and objectives, with a schedule for future
4 program evaluations.

5 (b) Time period of plan.--The strategic plan shall cover a
6 period of five years forward from the fiscal year in which it is
7 submitted and shall be updated and revised at least every three
8 years.

9 (c) Forms.--The Office of the Budget shall develop forms and
10 instructions for the use of the executive agencies in the
11 preparation of their strategic plans.

12 (d) Comments from General Assembly.--When developing a
13 strategic plan, each executive agency shall solicit and consider
14 the comments and recommendations of the General Assembly.

15 (e) Copies of plans.--The General Assembly shall receive a
16 copy of each strategic plan issued by each executive agency.

17 Section 4. Performance plans.

18 (a) Plan and content.--Beginning in 2007 and every year
19 thereafter, each executive agency shall prepare and submit to
20 the Office of the Budget, at the same time it submits its budget
21 for the succeeding fiscal year, an annual performance plan
22 covering each program activity set forth in the budget of the
23 agency. The plan shall be consistent with the executive agency's
24 strategic plan and shall:

25 (1) Identify and define performance measures to be used
26 in assessing the relevant outputs, service levels and
27 outcomes of each program activity.

28 (2) Establish performance goals to define the level of
29 performance achieved by a program activity, expressing such
30 goals in an objective and quantifiable form unless authorized

1 to be in an alternative form under subsection (b).

2 (3) Describe the operational processes and the resources
3 required to meet the performance goals.

4 (4) Describe how the performance goals are related to
5 the general goals and objectives of its long-range strategic
6 plan.

7 (b) Alternative to performance goals.--If an executive
8 agency, in consultation with the Office of the Budget,
9 determines that it is not feasible to express the performance
10 goals for a particular program activity in an objective,
11 quantifiable and measurable form, the Secretary of the Budget
12 may authorize an alternative form. The alternative form shall:

13 (1) include a descriptive statement of the alternative
14 as authorized by the Office of the Budget, with sufficient
15 precision and in such terms that would allow for an accurate,
16 independent determination of whether the program activity's
17 performance meets the criteria of the description; or

18 (2) state why it is infeasible or impractical to express
19 a performance goal in any form for the program activity.

20 (c) Submission of plan.--The Governor shall submit to the
21 General Assembly, at the same time he submits his budget, copies
22 of executive agency performance plans.

23 Section 5. Program performance reports.

24 (a) Submission.--No later than March 1, 2010, and no later
25 than March 1 of each year thereafter, each executive agency
26 shall prepare and submit to the Governor and the General
27 Assembly a report on program performance for the previous fiscal
28 year.

29 (b) Contents of report.--

30 (1) Each program performance report shall set forth the

1 performance measures established in the executive agency
2 performance plan, along with the actual program performance
3 achieved compared with the performance goals expressed in the
4 performance plan for that fiscal year. Each report shall also
5 include actual results for the three preceding fiscal years.

6 (2) If performance goals are specified in an alternative
7 form under section 4(b), the results of such program shall be
8 described in relation to such specifications.

9 (c) Further information.--Each report shall:

10 (1) Review the success of achieving the performance
11 goals of the fiscal year.

12 (2) Where a performance goal has not been met, explain
13 and describe why.

14 (3) Include the summary findings of those program
15 evaluations completed during the fiscal year covered by the
16 report.

17 Section 6. Performance budgeting.

18 No later than December 31, 2010, the Office of the Budget
19 shall submit a report to the Governor and the General Assembly
20 containing its recommendations for linking performance and
21 accountability to budgeting decisions. The report shall:

22 (1) Describe any difficulties encountered by executive
23 agencies in preparing strategic plans, performance plans and
24 program performance reports.

25 (2) Consider proposals to waive administrative
26 requirements and controls for an executive agency in return
27 for specific individual or organizational accountability to
28 achieve a performance goal.

29 (3) Consider systems of penalties and rewards in
30 response to the performance levels achieved by an executive

1 agency.

2 (4) Recommend whether further legislation should be
3 proposed to implement its recommendations and provide the
4 general provisions of the legislation.

5 (5) Set forth any recommended changes in the other
6 requirements of this act.

7 Section 7. Legislative oversight.

8 At the request of the General Assembly, the Legislative
9 Budget and Finance Committee shall audit selected executive
10 agencies to:

11 (1) Certify the accuracy and validity of data submitted
12 through performance reports.

13 (2) Assess the appropriateness of performance measures
14 identified in the performance plan.

15 (3) Evaluate agency performance and effectiveness in
16 achieving the goals and objectives presented in the strategic
17 plan.

18 Section 8. Effective date.

19 This act shall take effect immediately.