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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

May 4, 2000

Honorable Kim Pizzigrilli, Secretary
Department of State
302 North Office Building
Harrisburg, PA 17120

Re: IRRC Regulation #16-22 (#2100)
Department of State
Campaign Finance Forms

Dear Secretary Pizzigrilli:

Enclosed are our Comments on the subject regulation. They are also available on our website at <http://www.irrc.state.pa.us>.

Our Comments list objections and suggestions for consideration when you prepare the final version of this regulation. We have also specified the regulatory criteria which have not been met. These Comments are not a formal approval or disapproval of the proposed version of this regulation.

If you would like to discuss these Comments, please contact John Nanorta at 787-8491.

Sincerely,

Robert E. Nyce
Executive Director

wbg

Enclosure

cc: Dick Filling
Louis Boyle
Office of General Counsel
Office of Attorney General
Lee Ann Labecki

Comments of the Independent Regulatory Review Commission

on

Department of State Regulation No. 16-22

Campaign Finance Forms

May 4, 2000

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which has not been met. The Department of State must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by April 3, 2002, the regulation will be deemed withdrawn.

1. Section 177.9. Official forms. - Clarity

The Subsection (a) amendments would change the references to the titles of Forms DSEB-502 and DSEB-503, and add references to Forms DSEB-504 and DSEB-505. Although six forms are now named in Section 177.9, only two are explained or referenced in other sections.

For example, the requirements associated with Campaign Financial Reports (Form DSEB 502) are explained in Sections 177.1 (General) and 177.2 (Form and content of reports). Other forms referred to under Section 177.9 are not similarly explained or cross-referenced to other provisions. This lack of guidance will be magnified when the forms themselves will no longer be available for reference as part of the regulation.

To address this problem, the final-form regulation should be amended to clarify who has to file and what must be filed under each of the forms listed under Section 177.9(a). For those forms for which filing requirements already exist, appropriate cross-references should be made between Section 177.9 and those relevant sections. For forms for which there are no accompanying filing requirements, a general description of such information should be provided. If that information is added to sections other than Section 177.9, cross-references should also be made between those other sections and Section 177.9.

2. Section 177.1. General. - Clarity

We note that there is a typographical error in Section 177.1(f) (General). Because Subsection (f) applies to the need to file independent expenditure reports, the reference to filing Campaign Financial Report Form on DSEB 502 should be changed to refer to Independent Expenditure Reports on Form DSEB 505.