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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 18, 2007

Anne LaCour Neeb, Executive Director
Pennsylvania Gaming Control Board
Strawberry Square
Verizon Tower, 5th Floor
Harrisburg, PA 17106-9060

Re: Regulation #125-56 (IRRC #2612)
Pennsylvania Gaming Control Board
Practice and Procedure

Dear Ms. Neeb:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The comments will be available on our website at www.irrc.state.pa.us. If you would like to discuss them, please contact me.

Sincerely,

Kim Kaufman
Executive Director
wbg
Enclosure

cc: Honorable Jane M. Earll, Chairman, Senate Community, Economic and Recreational Development Committee
Honorable Gerald J. LaValle, Minority Chairman, Senate Community, Economic and Recreational Development Committee
Honorable Harold James, Majority Chairman, House Gaming Oversight
Honorable Paul I. Clymer, Minority Chairman, House Gaming Oversight

Comments of the Independent Regulatory Review Commission

on

Pennsylvania Gaming Control Board Regulation #125-56 (IRRC No. 2612)

Practice and Procedure

July 18, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the May 19, 2007 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

1. Section 495a.3. Incorporation by reference. – Clarity.

This section is similar to Section 33.3 of the General Rules of Administrative Practice and Procedure (GRAPP), 1 Pa. Code § 33.3 (relating to incorporation by reference). Where other provisions of this regulation cover the same subject matter as in the GRAPP, those provisions specify whether the respective GRAPP sections are either supplemented or superseded. For purposes of consistency and clarity, the Board should specify whether this section supplements or supersedes 1 Pa. Code § 33.3.

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REVIEW COMMISSION

Facsimile Cover Sheet



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

To: Cheryl Posavec
Richard Sandusky (214-8111)
Agency: Pa Gaming Control Board
Phone: 346-8319
Fax: 703-2988
Date: July 18, 2007
Pages: 3

Comments: We are submitting the Independent Regulatory Review Commission's comments on the Pennsylvania Gaming Control Board's regulation #125-56 (IRRC #2612). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

Accepted by: *R. Sandusky* Date: 7/18/07