

COMMONWEALTH OF PENNSYLVANIA



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June 15, 2007

Independent Regulatory Review Commission
333 Market Street, 14TH Floor
Harrisburg, PA 17120

Re: NOTICE OF PROPOSED RULEMAKING
Department of Agriculture
7 Pa. Code Chapter 139
Amusement Rides and Attractions Erected Permanently
or Temporarily at Carnivals, Fairs and Amusement Parks
I.D. No. 2-102

INDEPENDENT REGULATORY
REVIEW COMMISSION

2007 JUN 21 AM 9:25

RECEIVED

Dear Sirs:

On June 13 the above-referenced proposed rulemaking was delivered to your office in accordance with the requirements of the Regulatory Review Act. I have since realized that there may be a slight discrepancy between the paper documents delivered to your office and the document that shall be published in the June 23 edition of the *Pennsylvania Bulletin*. I wish to acknowledge these two typographical errors and represent that they shall not appear in the formal proposed regulation when it is published on June 23. I have confirmed this with the Legislative Reference Bureau. The two typographical errors are as follows:

1. On Page 13 of Annex "A," under § 139.5(a), the copy delivered to your office might contain the following sentence:

... The insurance policy shall be procured from an insurer or surety authorized to do business in this Commonwealth or eligible to do business under section 7 of the act of January 24, 1966 (1965) (P. L. 1509, No. 531), referred to as the Surplus Lines Insurance Law [and shall be in the following amounts:].

A bracket is out-of-place in the foregoing sentence, and the sentence *should* read (and *shall* read in the proposed regulation when it is published on June 23) as follows:

... The insurance policy shall be procured from an insurer or surety authorized to do business in this Commonwealth [or eligible to do business under section 7 of

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the act of January 24, 1966 (1965) (P. L. 1509, No. 531), referred to as the Surplus Lines Insurance Law and shall be in the following amounts:].

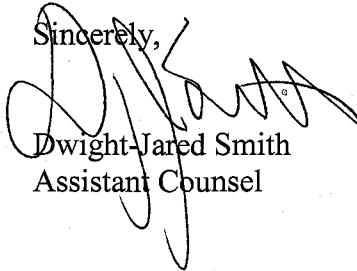
2. On Page 35 of Annex "A," under § 139.14(d), the copy delivered to your office might not have (but *should* have) the following phrase at the top of the page:

received at the Department, whether by mail delivery, e-mail, personal delivery, facsimile transmission or other electronic means.

This phrase *shall* be in the proposed regulation when it is published in the *Pennsylvania Bulletin* on June 23.

I apologize for the error on my part, and respectfully request you proceed with your review of this document under the Regulatory Review Act with the understanding that the referenced typographical errors will not appear in the proposed regulation when it is formally published for comment. If I may be of further information, please advise.

Sincerely,



Dwight-Jared Smith
Assistant Counsel