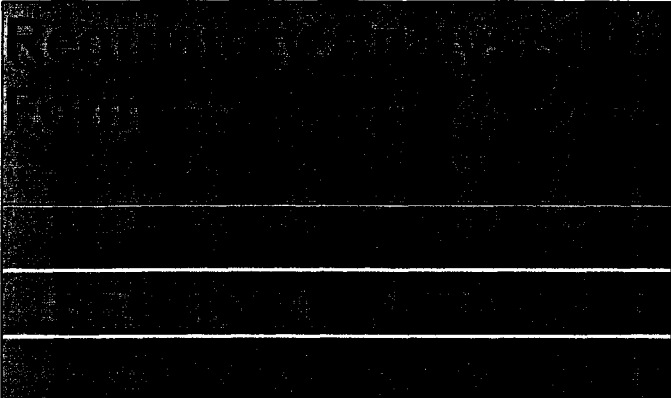
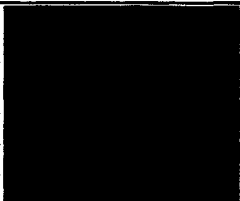




Independent Regulatory Review Commission



Rec'd
IRRC

2010 Jul 27

P3:08

(1) Agency: Department of General Services,
Joint Committee on Documents

(2) Agency Number: 53-9

Identification Number: 53-9

IRRC Number: 2861

(3) Short Title: Proposed Amendment to Definitions

(4) PA Code Cite: 1 Pa. Code §1.4

(5) Agency Contacts (List Telephone Number, Address, Fax Number and Email Address):

Primary Contact: Mary Jane Phelps, (717) 783-1530, Room 647 Main Capitol Building, Harrisburg, PA 17120, mphelps@palrb.us

Secondary Contact: Barbara Furjanic, (717) 783-1530, Room 647 Main Capitol Building, Harrisburg, PA 17120, bfurjanic@palrb.us

(6) Primary Contact for Public Comments (List Telephone Number, Address, Fax Number and Email Address) - Complete if different from #5:

(All Comments will appear on IRRC'S website)

(7) Type of Rulemaking (check applicable box):
 Proposed Regulation
 Final Regulation

**COMMONWEALTH OF
PENNSYLVANIA
JOINT COMMITTEE
ON DOCUMENTS**



Barbara Adams
General Counsel

Robert W. Zech
Director, Legislative Reference Bureau

Mary Jane Phelps
Director, Pennsylvania Code and Bulletin

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*President Pro Tempore
Senate of Pennsylvania*

Keith R. McCall
*Speaker
House of Representatives*

James P. Creedon
Secretary of General Services

Thomas Corbett
Attorney General

James T. Davis
Public Member

Michael A. Finio
Public Member

TO: Kim Kauffman, Executive Director
Independent Regulatory Review Commission

FROM: Mary Jane Phelps
Secretary to the Committee 

SUBJECT: RAF for Joint Committee on Documents Proposed Regulation 53-9

DATE: August 9, 2010

A typographical error occurred with the regulation number in the Regulatory Analysis Form for the proposed Joint Committee on Documents regulation. Enclosed is a corrected page.

We have also forwarded copies to the Standing Committees. We apologize for any confusion.

MJP/mgg
Enclosures

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Attorney General

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Public Member

Michael A. Finio
Public Member

TO: The Honorable Dominic Pileggi
Senate of Pennsylvania
Majority Chair, Rules & Executive Nominations

FROM: Mary Jane Phelps
Secretary to the Committee 

SUBJECT: RAF for Joint Committee on Documents Proposed Regulation 53-9

DATE: August 9, 2010

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Public Member

Michael A. Finio
Public Member

TO: The Honorable Robert J. Mellow
Senate of Pennsylvania
Minority Chair, Rules & Executive Nominations

FROM: Mary Jane Phelps
Secretary to the Committee 

SUBJECT: RAF for Joint Committee on Documents Proposed Regulation 53-9

DATE: August 9, 2010

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*Speaker
House of Representatives*


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Secretary of General Services

Thomas Corbett
Attorney General

James T. Davis
Public Member

Michael A. Finio
Public Member

TO: The Honorable Babette Josephs
House of Representatives of Pennsylvania
Majority Chair, State Government Committee

FROM: Mary Jane Phelps
Secretary to the Committee 

SUBJECT: RAF for Joint Committee on Documents Proposed Regulation 53-9

DATE: August 9, 2010

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Secretary of General Services

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Attorney General

James T. Davis
Public Member

Michael A. Finio
Public Member

TO: The Honorable Kerry A. Benninghoff
House of Representatives of Pennsylvania
Minority Chair, State Government Committee

FROM: Mary Jane Phelps
Secretary to the Committee

A handwritten signature in cursive script, appearing to read 'MJP'.

SUBJECT: RAF for Joint Committee on Documents Proposed Regulation 53-9

DATE: August 9, 2010

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We have also forwarded a copy to Independent Regulatory Review Commission. We apologize for any confusion.

MJP/mgg
Enclosures

(8) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

The proposal will amend 1 Pa. Code §1.4 to add a definition of "copy" to include a printed or electronic version.

(9) Include a schedule for review of the regulation including:

- A. The date by which the agency must receive public comments: 30 days following publication in the Pennsylvania Bulletin.
- B. The date or dates on which public meetings or hearings will be held: N/A
- C. The expected date of promulgation of the proposed regulation as a final-form regulation: unknown
- D. The expected effective date of the final-form regulation: July 1, 2011
- E. The date by which compliance with the final-form regulation will be required: N/A
- F. The date by which required permits, licenses or other approvals must be obtained: N/A

(10) Provide the schedule for continual review of the regulation.

The Joint Committee on Documents will monitor future usage of the website and purchase of paper copies of the *Pennsylvania Code and Bulletin*.

(11) State the statutory authority for the regulation. Include specific statutory citation.

45 Pa.C.S. §503
Section 506 of The Administrative Code of 1929 (71 P.S. §186)

(12) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

The regulation is mandated by previous and proposed appropriations for the printing of the *Pennsylvania Code and Bulletin*.

(13) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The regulation is needed because the Legislative Reference Bureau's appropriation for the printing of the *Code and Bulletin* is less than what the Bureau contractually owes for that printing. There is a trend from print to electronic usage.

(14) If scientific data, studies, references are used to justify this regulation, please submit material with the regulatory package. Please provide full citation and/or links to internet source.

N/A

(15) Describe who and how many will be adversely affected by the regulation. How are they affected?

Only those unwilling to access the free web sites will be adversely affected.

(16) List the persons, groups or entities that will be required to comply with the regulation. Approximate the number of people who will be required to comply.

N/A

(17) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

N/A

(18) Provide a specific estimate of the costs and/or savings to **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

It is impossible to estimate costs to local governments. Most will rely on the web sites. Purchases of printed copies can not be estimated.

(19) Provide a specific estimate of the costs and/or savings to **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

There will be no cost to state government.

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
Total Savings	N/A					
COSTS:						
Regulated Community	N/A					
Local Government						
State Government						
Total Costs	unknown					
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses	N/A					

(20a) Provide the past three year expenditure history for programs affected by the regulation. N/A

Program	FY -3	FY -2	FY -1	Current FY

(21) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The ability of the Legislative Reference Bureau to meet its contractual obligations outweighs possible costs to other entities.

(22) Describe the communications with and input from the public and any advisory council/group in the development and drafting of the regulation. List the specific persons and/or groups who were involved.

The Joint Committee on Documents met publicly and voted to proceed with the proposal.

(23) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

N/A

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

N/A

(25) How does this regulation compare with those of other states? How will this affect Pennsylvania's

ability to compete with other states?

N/A

(26) Will the regulation affect any other regulations of the promulgating agency or other state agencies?
If yes, explain and provide specific citations.

No.

(27) Submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

N/A

(28) Please list any special provisions which have been developed to meet the particular needs of

affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

N/A

FISCAL NOTE FOR DOCUMENTS
FILED WITH THE LEGISLATIVE REFERENCE BUREAU

Agency: Joint Committee on Documents

Agency Identification Number: 53-9

Subject of Regulation: Amendment to 1 Pa.Code Chapter 15

Pursuant to Section 612 of Act 149 of September 27, 1978, I am submitting the following Fiscal Note for publication in the Pennsylvania Bulletin to accompany this notice of regulatory action or administrative procedure.

FISCAL NOTE AS REQUIRED BY SECTION 612
ACT 149 OF 1978
(See 4 Pennsylvania Code 7.231 (9 Pennsylvania Bulletin))

This action will not result in a loss of revenue or an increase in program costs to the Commonwealth or its political subdivisions.

The Secretary of the Budget recommends adoption of this regulatory action or administrative procedure.


Secretary of the Budget

RECEIVED
LEGISLATIVE REFERENCE
BUREAU
MAY -7 PM 1:37
PA. CODE & BULLETIN

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU
(Pursuant to Commonwealth Documents Law)

RECEIVED
IRRC

2010 JUL 27 P 3:08

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

Copy below is hereby approved as to form and legality. Executive or Independent Agencies

[Signature]

Joint Committee on Documents
(AGENCY)

[Signature]

By: _____
(Deputy Attorney General)

DOCUMENT/FISCAL NOTE NO. 53-9

BY Andrew C. Clark

MAY 03 2010

DATE OF ADOPTION 2/18/10

APR 06 2010

DATE OF APPROVAL

DATE OF APPROVAL

(Deputy General Counsel)
(Chief Counsel - Independent Agency)
(Strike inapplicable title)

Check if applicable
Copy not approved. Objections attached.

BY Mary Jane Phelps
TITLE Secretary

Check if applicable. No Attorney General Approval or objection within 30 days after submission.

RECEIVED
LEGISLATIVE REFERENCE
BUREAU
10 MAY -6 AM 9:00
PA. CODE & BULLETIN

NOTICE OF PROPOSED RULEMAKING
DEPARTMENT OF GENERAL SERVICES
JOINT COMMITTEE ON DOCUMENTS

1 Pa. Code Chapter 1

Preliminary Provisions

Definitions

Preamble

The Joint Committee on Documents (JCD) proposes to amend 1 Pa. Code § 1.4 (relating to definitions).

Statutory Authority

Section 1.4 is proposed to be amended under 45 Pa.C.S. § 503 (relating to general administration of part) and section 506 of the Administrative Code of 1929 (71 P.S. § 186).

Background of the Amendments

The Legislative Reference Bureau (LRB) purchases paper copies of the *Pennsylvania Bulletin (Bulletin)* and *Pennsylvania Code (Code)* for a variety of government entities enumerated in 1 Pa.Code Chapter 15 (relating to distribution of publications). This has been the policy of the JCD since the inception of the *Bulletin* in 1970. Under 45 Pa.C.S. § 503, the JCD is required to encourage “the widest possible dissemination” of documents appearing in the *Code* and *Bulletin*.

The *Code* and *Bulletin* have been available at no charge on the Internet since 1996. The web sites receive approximately 500,000 visits each month. Subscribers to the print versions have steadily declined as a result of free electronic access.

This proposed rulemaking will amend 1 Pa.Code § 1.4 to define a “copy” to include a printed or electronic version. As a result, most entities listed in Chapter 15 will no longer receive paper copies of the *Code* and *Bulletin* paid for by the LRB. Budgetary constraints require that the LRB cease these payments. Informal surveys conducted by the staff of the JCD indicate that most of the Chapter 15 entities use the electronic versions of the *Code* and *Bulletin*.

Contact Person

Comments and questions regarding this proposal may be referred to: Mary Jane Phelps, Director of the *Code* and *Bulletin* and Secretary to the JCD, Legislative Reference Bureau, 647 Main Capitol Building, Harrisburg, PA 17120, (717) 783-1530. Interested persons are invited to submit written comments regarding the proposed amendment within 30 days following publication in the *Bulletin*.

Effective Date

It is anticipated that the final-form regulation will go into effect on July 1, 2011.

Fiscal Impact

There will be no fiscal impact on the general public as a result of this proposal. Political subdivisions may be slightly impacted if magisterial district justices choose to continue paper subscriptions. The LRB paid \$472,538 for Chapter 15 subscriptions in 2009. The Commonwealth will realize a savings but it is difficult to predict how many State entities will choose to purchase the print versions. It is anticipated that most will rely on the web sites, so substantial savings should result.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5 (a)), on _____, the JCD submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House State Government Committee and the Senate Rules and Executive Nominations Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking, by IRRC, the General Assembly and the Governor of comments, recommendations or objections raised.

ANNEX A

Title 1. General Provisions

Part I. Joint Committee on Documents

Chapter 1. Preliminary Provisions

§ 1.4. Definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

***Copy-* The term includes an electronic or printed version.**

* * * * *

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE REGULATORY REVIEW ACT

I.D. NUMBER: 53-9

SUBJECT: Definitions

AGENCY: Joint Committee on Documents

RECEIVED
IRRC
2010 JUL 27 P 3:08

TYPE OF REGULATION

Proposed Regulation

Final Regulation

Final Regulation with Notice of Proposed Rulemaking Omitted

120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

Delivery of Tolled Regulation

a. With Revisions

b. Without Revisions

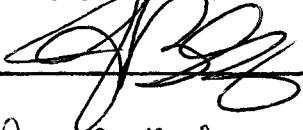
FILING OF REGULATION

DATE

SIGNATURE

DESIGNATION

mg 7/27/10



HOUSE COMMITTEE ON STATE GOVERNMENT

7/27/10 Amy J. Noel

7/27/10 Michelle Krueger

SENATE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

7/27/10 Cliff Tule

7/27/10 K. Cooper

INDEPENDENT REGULATORY REVIEW COMMISSION

ATTORNEY GENERAL

7/27/10 Mary Jane Phelps

LEGISLATIVE REFERENCE BUREAU