

ARTHUR COCCODRILLI, CHAIRMAN
GEORGE D. BEDWICK, VICE CHAIRMAN
S. DAVID FINEMAN, ESQ.
SILVAN B. LUTKEWITTE III
JOHN F. MIZNER, ESQ.
KIM KAUFMAN, EXECUTIVE DIRECTOR
LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

INDEPENDENT REGULATORY REVIEW COMMISSION

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

October 7, 2010

Mary Jane Phelps, Director
Joint Committee on Documents
647 Main Capitol Building
Harrisburg, PA 17120

Re: Regulation #53-9 (IRRC #2861)
Joint Committee on Documents
Preliminary Provisions; Definitions

Dear Ms. Phelps:

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 Dominic F. Pileggi, Majority Chairman, Senate Rules and Executive Nominations Committee
Honorable Robert J. Mellow, Minority Chairman, Senate Rules and Executive Nominations Committee
Honorable Babette Josephs, Majority Chairman, House State Government Committee
Honorable Kerry A. Benninghoff, Minority Chairman, House State Government Committee
Robert A. Mulle, Esq., Office of Attorney General
Andrew Clark, Esq., Office of General Counsel

Comments of the Independent Regulatory Review Commission



Joint Committee on Documents Regulation #53-9 (IRRC #2861)

Preliminary Provisions; Definitions

October 7, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the August 7, 2010 *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 Joint Committee on Documents (Committee) to respond to all comments received from us or any other source.

Section 1.4. – Definitions.- Implementation procedures.

This proposed regulation adds a definition for “copy” to the preliminary provisions of the *Pa Code (Code)*. It defines “copy” as “an electronic or printed version.” Under 1 Pa. Code §§ 15.1 through 15.6, numerous government entities are to be provided with one copy of documents, in particular the *Code* and *Pa Bulletin (Bulletin)*, with the subscription paid by the Commonwealth. According to the Preamble, the distribution of the *Code* and *Bulletin* is paid for by the Legislative Reference Bureau (LRB). The Preamble also states that as a result of the proposed definition, “most entities listed in Chapter 15 will no longer receive paper copies of the *Code* and *Bulletin* paid for by the LRB.”

In light of 1 Pa. Code Chapter 15, the Committee should explain in the Preamble to the final-form regulation how it intends to comply with the existing distribution requirements.

Facsimile Cover Sheet

Phone: (717) 783-5417
Fax #: (717) 783-2664
E-mail: irrc@irrc.state.pa.us
Website: www.irrc.state.pa.us

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

To: Mary Jane Phelps
Agency: Joint Committee on Documents
Phone: 3-1530
Fax: 7-3341
Date: October 7, 2010
Pages: 3

RECEIVED
IRRC
2010 OCT - 7 A 9:32

Comments: We are submitting the Independent Regulatory Review Commission's comments on the Joint Committee on Documents' regulation #53-9 (IRRC #2861). 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: Mary Jane Phelps **Date:** 10/7/10