

**INDEPENDENT REGULATORY REVIEW COMMISSION
PUBLIC MEETING MINUTES**

10:00 A.M.

Thursday, March 18, 2021
14th Floor Conference Room
333 Market Street

I. CALL OF THE MEETING

The March 18, 2021 public meeting of the Independent Regulatory Review Commission (Commission) was called to order by Chairman Bedwick at 10:03 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg, PA.

Commissioners on phone: George D. Bedwick, Chairman
 John F. Mizner, Esq., Vice Chairman
 John J. Soroko, Esq.
 Murray Ufberg, Esq.
 Dennis A. Watson, Esq.

II. APPROVAL OF THE SEPTEMBER 21, 2021 PUBLIC MEETING MINUTES

Chairman Bedwick asked for a motion for approval of the September 21, 2021 public meeting minutes, as submitted. Commissioner Ufberg made the motion and Vice Chairman Mizner seconded, and the motion passed 5-0.

III. INFORMATION ITEMS

1. Current Regulations

Chairman Bedwick provided some background on new educational initiatives by the Commission. He commented, "2021 is shaping up to be particularly active year for the Commission and that is both in terms of the number of regulations to be considered and the nature of the issues that are in the regulations." Chairman Bedwick noted the Commission has already issued its public comment on No. 3274 Environmental Quality Board #7-559: CO2 Budget Trading Program also known as the Regional Greenhouse Gas Initiative (RGGI). He reported those comments have generated much attention. Chairman Bedwick also reported that upcoming regulations relate to medical marijuana (#3290), water quality standards (#3227), and drug and alcohol recovery homes (#3294). He observed, "Often times our role in the regulatory review process isn't clearly understood." Chairman Bedwick stated, "Frequently, lost in the process is the fact that among other things we do not consider the appropriateness of the policy behind a regulation and one of our primary responsibilities is to try to facilitate a consensus among the parties." He added, "I believe, as Chairman, we should take additional steps for educating the general public and the various constituencies following the regulatory review process, on our role in that process."

2. Press Release

Chairman Bedwick outlined the steps he is taking to that end. The Commission is issuing a press release today that discusses their role when considering proposed regulations. Chairman Bedwick explained that the Commission regularly holds seminars on the review process for the agencies, boards and commissions that come before the Commission. He said he intends to continue those seminars and to conduct additional outreach seeking participation by legislative staff, interested organizations and the media either jointly or separately pending on the response the Commission gets. Chairman Bedwick also said that when the Commission returns to an in-office work schedule staff will prepare and make available online a short, monthly video on particular steps on the Commission's review process.

Vice Chairman Mizner suggested that the Commission regularly schedule the statement Chairman Bedwick provided because people come into the regulatory process at different times on different issues. He commented, "I think it is important that everybody be aware of our role at any time." Vice Chairman Mizner suggested that the statement is read quarterly or every six months as well as posted on the Commission's website.

Commissioner Ufberg observed that Chairman Bedwick proposed the press release be issued on behalf of the Commission. He made a motion approving the press release and its immediate issuance. The motion was seconded and unanimously approved.

3. 2020 Annual Report

David Sumner, Executive Director, provided an overview of the Commission's 2020 Annual Report. He explained the Commission prepares an annual report each year as required by Section 11 of the Regulatory Review Act which is issued to the House and Senate leadership and the governor no later than April 1. Mr. Sumner said it is also posted on the Commission's website. He reported that staff is finalizing last year's report. Mr. Sumner reported that in 2020 the Commission reviewed a total of 59 regulations which included 36 proposed regulations and 23 final regulations. He also reported the Commission received over 9,000 public comments, eight comments from legislative standing committees, and 95 comments from members of the House and Senate. According to Mr. Sumner, the Commission has 22 proposed regulations this year that they have already reviewed or are under review now. He reported that they have already reviewed 12 proposed regulations and another ten with comments due between now and June. Mr. Sumner noted the Commission reviewed 23 final regulations in all of 2020 and on next month's agenda alone there are eight final regulations.

Vice Chairman Mizner wanted to know what percentage of state employees have returned back to work and if there is any predicted time for when commonwealth employees will be coming back to the office on a regular basis. Mr. Sumner responded that the Commission has not received any information on that. He said at a committee hearing this week, Michael Newsome, Secretary of Administration, in response to a question, said that there is no date at this time and they are just following the data and the science. Mr. Sumner commented that teleworking has worked out very well for the Commission office and other commonwealth

agencies. Chairman Bedwick noted that it was announced this week that the Capitol Building is scheduled to reopen to the public on Monday, March 22, provided people wear masks and follow other protocols.

Commissioner Watson commended Commission employees for their professionalism in working this past year under unusual circumstances. Chairman Bedwick noted every deadline was met and there was no drop-off in quality of work or quantity of work.

Vice Chairman Mizner asked if everyone on the Commission staff is healthy. Mr. Sumner responded, "Everyone is healthy." Commissioner Ufberg commended Mr. Sumner for his work during the last year.

IV. BUSINESS

Approval of Vouchers

Commissioner Ufberg made motions to approve vouchers and expenses for the period December 4, 2020 through January 21, 2021. Commissioner Soroko seconded, and the motions passed 5-0.

V. DATE AND PLACE OF SUBSEQUENT MEETING

Chairman Bedwick announced the next public meeting is scheduled for Thursday, April 15, 2021, at 10:00 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg.

VI. EXECUTIVE SESSION ANNOUNCEMENTS

Chairman Bedwick announced that no executive session would be held.

VII. ADJOURNMENT

Chairman Bedwick adjourned the meeting at 10:22 a.m.