



TRANSPARENT TIMES

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State Government Committee
Representative Daryl D. Metcalfe, Chairman

IRRC

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On February 15, the House State Government Committee, chaired by Representative Daryl Metcalfe, conducted an informational hearing with the staff of the Independent Regulatory Review Commission (IRRC). The regulatory review process benefits the people of Pennsylvania by ensuring that potentially burdensome regulations are publicized and reviewed. The presentation consisted of a synopsis of the Pennsylvania General Assembly's role in the regulatory review process and a question and answer period.

WHAT DID THE GENERAL ASSEMBLY DO IN ATTEMPT TO BRING BALANCE TO THE REGULATORY ARM OF GOVERNMENT?

Some government regulations go farther than a statute originally intended, and have created obstacles inhibiting job creation for individuals and businesses.

In 1982, the General Assembly passed the Regulatory Review Act which established the IRRC.

IRRC was created to review Commonwealth agency regulations (excluding the Game Commission and the Fish and Boat Commission). Commonwealth agencies have the authority, discretion and responsibility to promulgate regulations, while the IRRC has the responsibility to review these regulations under a set criteria.

IRRC's mission is to review regulations to make certain that the agency has the statutory authority to enact the regulation and to determine whether the regulation is consistent with legislative intent. Criteria such as; economic impact, protection of public health, welfare and safety, and the clarity, feasibility and reasonableness of a regulation are used by the IRRC to determine whether a regulation in its entirety is in the public's best interest.

IRRC also acts as a clearinghouse for complaints, comments and other input from the General Assembly and the public regarding not only proposed and final regulations, but also existing regulations.

Through analysis and research, the IRRC works with the standing committees of the Pennsylvania Legislature and state agencies on proposed and existing regulations. The IRRC also provides a forum for public input from private individuals and interested organizations.

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Inside The IRRC Process

Proposal Stage

Public Comment Period: An agency presents a proposed regulation to the IRRC, standing committees and the Legislative Reference Bureau for publication in the Pennsylvania Bulletin. Next, there is a public comment period of at least 30 days to allow anyone to submit comments on a regulation.

IRRC Comment Period: Within 30 days after the close of the public comment period, the IRRC delivers its comments to the agency and standing legislative committees. Standing committees may also submit their comments on a regulation to the agency at this time.

Final-Form Stage

Agency Review: The agency responds to comments and the final form regulation is delivered.

IRRC Public Meeting: IRRC holds a public meeting, which usually occurs no less than 30 days, but at least 20 days after receipt of a regulation.

IRRC Approves: The regulation becomes final and enforceable and is published in the Pennsylvania Bulletin.

IRRC accepts public comments by first class mail, fax, email or personal delivery.

Throughout the 2011-12 legislative session, the State Government Committee will explore how to put more “legislative teeth” into the Regulatory Review Act. This will enable the General Assembly to reign in the heavy-handed use of regulations and non-legislative mandates that continue to stifle innovation, delay economic recovery, strangle job creation and increase overall business and consumer costs.

Looking Ahead

The State Government Committee will be holding two hearings in Harrisburg during the month of March.

The first hearing will be held on March 21 and will cover the topic of Voter Fraud. Nationally, there has been expressed interest in advancing Voter Identification legislation to protect the integrity of our elections from being illegally influenced by organizations such as ACORN and those who have invaded our country illegally.

The second hearing will be held on March 30 and will cover the U.S. Transportation Security Administration and indecent assault during the course of a body search.

CONTACT ME

dmetcalf@pahousegop.com



Cranberry Township

Cranberry Township Municipal Building
2525 Rochester Rd., Suite 201
Cranberry Township, PA, 16066
Phone: (724) 772-3110

Middlesex Township

1165 Pittsburgh Rd., Route 8
Valencia, PA 16059
Phone: 724-898-1500

Capitol Office

43 East Wing, PO Box 202012
Harrisburg, PA 17120-2012
Phone: (717) 783-1707

ALSO FIND ME ONLINE AT...

[Facebook.com/RepMetcalf](https://www.facebook.com/RepMetcalf)

[Twitter.com/DarylMetcalf](https://twitter.com/DarylMetcalf)

[Youtube.com/RepMetcalf](https://www.youtube.com/RepMetcalf)

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