

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Fish and Boat Commission

The Executive Board approved a reorganization of the Fish and Boat Commission effective November 25, 2015.

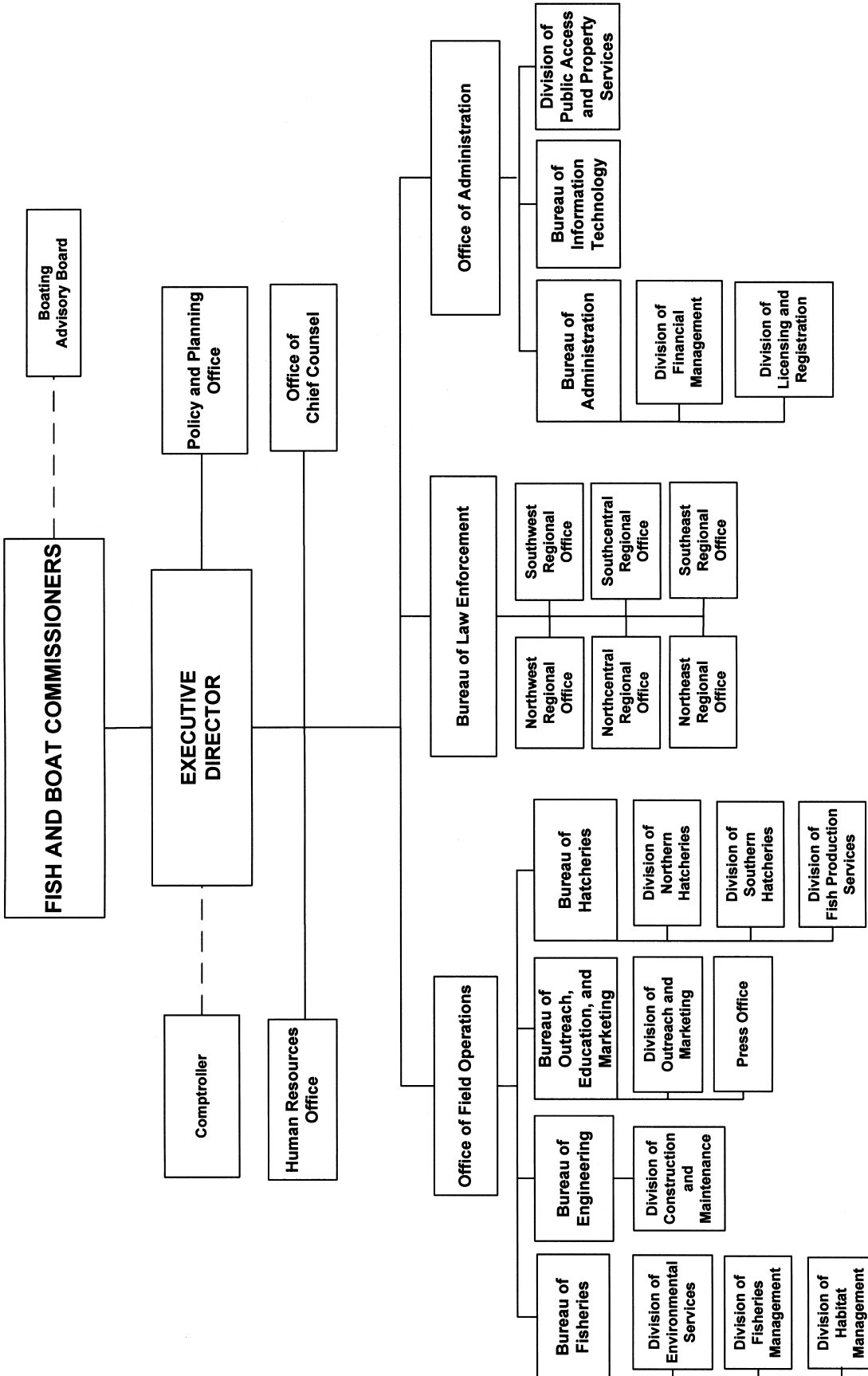
The organization chart at 45 Pa.B. 7173 (December 19, 2015) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 15-2219. Filed for public inspection December 18, 2015, 9:00 a.m.]

OR-15-019
November 25, 2015

FISH AND BOAT COMMISSION



Title 101—GENERAL ASSEMBLY

LEGISLATIVE REFERENCE BUREAU

[101 PA. CODE CH. 31]

Right-to-Know Law; Amendments

The Legislative Reference Bureau (Bureau) amends § 31.23(d) (relating to parties) to read as set forth at 45 Pa.B. 5959 (October 3, 2015). The purpose of this statement of policy is to provide discretion on holding hearings on appeals and to increase efficiency.

Public Comment

The proposed statement of policy included a public comment period that ended November 7, 2015.

One comment was received from Anne Henry, Senior Vice President and Chief Government Affairs Officer, LeadingAge PA. The commentator requested that the proposed amendment not be adopted because it “appears to give significant subjective discretion to the appeals officer potentially at the expense of the objective criteria afforded by the appeal hearing process.”

The Bureau attempted to schedule a public hearing. However, the commentator did not reply to telephone messages. The Bureau issued a written response to the commentator stating that: section 1101(b)(3) of the Right-to-Know Law (65 P.S. § 67.1101(b)(3)) provides the appeals officer discretion, as a hearing is permitted, not required; the amendment to § 31.23(d) maintains the good cause determination, which subsumes the issues raised by deemed denials, willful misconduct and frivolous requests; and the amendment merely improves the efficient handling of appeals by maintaining a single, unifying standard to determine whether to exercise the statutory discretion.

Effective Date

This statement of policy is effective December 19, 2015.

VINCENT C. DeLIBERATO, Jr.,
Director

(Editor's Note: Title 101 of the Pennsylvania Code is amended by amending the statement of policy in § 31.23 to read as set forth at 45 Pa.B. 5959.)

[Pa.B. Doc. No. 15-2220. Filed for public inspection December 18, 2015, 9:00 a.m.]