
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 675

Session of
1981

INTRODUCED BY ZWIKL, DORR, BRANDT, L. E. SMITH, DeVERTER,
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CAPPABIANCA, LESCOVITZ, FISCHER, STEIGHNER, CIMINI, BLAUM,
CLYMER AND WOZNIAK, FEBRUARY 18, 1981

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 15, 1982

AN ACT

1 Establishing a procedure for the control of Commonwealth forms
2 and publications AND imposing duties on the Department of <—
3 General Services. and the Secretary of Budget and <—
4 Administration and establishing a legislative oversight
5 committee.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the "Forms and
10 Publications Management Act."

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have, unless the context clearly indicates otherwise, the
14 meanings given to them in this section:

1 "Agency." All administrative departments, boards and
2 commissions, AND independent boards and commissions. ~~and the~~ <—
3 ~~State colleges and universities.~~

4 "Department." The Department of General Services.

5 "Forms." A document with a standard format ~~for the~~ <—
6 ~~systematic and repetitive collection, maintenance or~~
7 ~~transmission of information.~~ WHICH NORMALLY CONTAINS BLANK <—
8 SPACES FOR THE INSERTION OF REQUIRED OR REQUESTED INFORMATION.

9 ~~"Management officer." A Forms and Publications Management~~ <—
10 ~~Officer designated pursuant to this act.~~

11 ~~"Periodicals." Publications made at regular or irregular~~
12 ~~intervals, commonly using the same title.~~

13 "MANAGEMENT OFFICER." PERSON OR PERSONS DESIGNATED PURSUANT <—
14 TO THIS ACT TO MANAGE A FORMS OR PUBLICATION PROGRAM.

15 "MANAGEMENT PROGRAM." A MANAGEMENT PROGRAM IS DEFINED AS A
16 WRITTEN PLAN FOR DEVELOPING, PRODUCING, UTILIZING AND
17 DISSEMINATING FORMS AND PUBLICATIONS.

18 "Publications." ~~Forms, periodicals, pamphlets or similar~~ <—
19 BROCHURES, PAMPHLETS, PERIODICALS, BOOKLETS, BOOKS OR SIMILAR <—
20 printed material. ~~, except those reports specifically required by~~ <—
21 ~~law.~~

22 "Secretary." The Secretary of ~~Budget and Administration~~ THE <—
23 DEPARTMENT OF GENERAL SERVICES, or, in case the office is
24 abolished, such other person as designated by the Governor.

25 Section 3. Findings and policy.

26 (a) Findings:

27 (1) The General Assembly finds that in the Commonwealth,
28 businesses, particularly small businesses, and the public,
29 have been increasingly burdened by the forms and paperwork
30 required by State agencies.

1 (2) Confusing forms, duplicative reporting requirements
2 and other unnecessary paperwork, increases costs to
3 businesses, especially small businesses and consumers, and
4 contribute to inefficient government operations.

5 (3) Further, many governmental forms and publications
6 have become outmoded, others are reproduced in such manner ~~as~~ <—
7 ~~to be overcostly~~ THAT THE COSTS BECOME EXCESSIVE and still <—
8 others are produced or reproduced by different departments
9 causing overlapping and duplication of effort.

10 (4) In addition, the Commonwealth of Pennsylvania
11 produces pamphlets, periodicals and similar publications that
12 are unneeded, costly or self-serving.

13 (b) Policy.--It is hereby declared to be the policy of the
14 Commonwealth of Pennsylvania that all forms AND publications, <—
15 ~~pamphlets, periodicals and similar materials~~ be reviewed and
16 revised by the Forms and Publications Management Officer of each
17 agency as provided in this act subject to the approval of the
18 Secretary of ~~Budget and Administration~~ GENERAL SERVICES. <—
19 Section 4. Management ~~plan~~ PROGRAM. <—

20 ~~Every agency shall establish a Forms and Publications~~ <—
21 ~~Management Plan for the purpose of insuring that the agency uses~~
22 ~~only those forms and distributes only those publications~~
23 ~~necessary for its efficient operation.~~ EVERY AGENCY SHALL <—
24 ESTABLISH A FORMS AND A PUBLICATIONS MANAGEMENT PROGRAM WHICH
25 WILL BE DEVELOPED IN ACCORDANCE WITH STANDARDS AS PRESCRIBED IN
26 DIRECTIVES/CIRCULARS ISSUED BY THE DEPARTMENT OF GENERAL
27 SERVICES TO INSURE THAT THE AGENCY USES ONLY THOSE FORMS AND
28 DISTRIBUTES ONLY THOSE PUBLICATIONS NECESSARY FOR ITS EFFICIENT
29 OPERATION. AGENCIES SHALL INCLUDE WITH THE PROGRAM A LIST OF ALL
30 FORMS AND PUBLICATIONS CURRENTLY BEING USED BY THE AGENCY AND A

1 DESCRIPTION OF THE FORMS WHICH THE AGENCY NEEDS AND THE
2 PUBLICATIONS WHICH THE AGENCY DESIRES TO PUBLISH. FOR FORMS, AN <—
3 AGENCY SHALL INCLUDE AN ESTIMATE OF THE TOTAL NUMBER OF HOURS
4 REQUIRED OF THE PUBLIC TO COMPLY WITH THE AGENCY'S REQUEST FOR
5 INFORMATION. The list shall be updated annually by each agency
6 while the program can be amended at any time.

7 Section 5. Forms and Publications Management Officer.

8 (a) Designation.--The head of every agency shall designate
9 ~~an existing officer or employee of the agency to be the Forms~~ <—
10 ~~and Publications Management Officer.~~ FROM EXISTING STAFF A <—
11 MANAGEMENT OFFICER WHO SHALL BE RESPONSIBLE FOR IMPLEMENTING THE
12 MANAGEMENT PROGRAM. THE HEAD OF EVERY AGENCY SHALL ADVISE THE
13 DEPARTMENT OF GENERAL SERVICES THE NAME OF THE MANAGEMENT
14 OFFICER.

15 (b) Duties.--

16 (1) The management officer shall compose and revise, as
17 necessary, the forms and publications management ~~plan~~ PROGRAM <—
18 for the agency subject to the approval of the Secretary of
19 ~~Budget and Administration~~ GENERAL SERVICES. The ~~plan~~ PROGRAM <—
20 shall be administered by the management officer, subject to
21 this act.

22 (2) The management officer shall approve for use only
23 those forms which are necessary for the efficient operation
24 of the agency and which:

25 (i) Ask only for information ~~lawfully~~ required to <—
26 fulfill the mission of the agency.

27 (ii) Do not impose an undue burden on persons
28 completing the form.

29 (iii) Do not substantially duplicate other forms of
30 the agency or those of other agencies.

1 (iv) Are brief, plainly written, well-designed and
2 easily completed.

3 (3) The management officer shall devote particular
4 attention to the special burdens faced by individuals and
5 small businesses in responding to requests for information.
6 To minimize these burdens, the management officer is to
7 insure that agencies forego uniform reporting requirements
8 and rely on sampling, reduced frequency of reporting,
9 differing compliance standards or exemptions whenever
10 possible.

11 (4) The management officer shall maintain an inventory
12 of all forms and publications in use or distributed by his
13 agency. Forms and publications shall be identified in
14 accordance with a systematic standard identification system
15 to be devised by the Department of General Services.

16 ~~(5) The management officer shall prepare an annual~~ <—
17 ~~paperwork cost estimate, consisting of an estimate of the~~
18 ~~total number of hours required of the public to comply with~~
19 ~~the agency's requests for information. The estimate shall~~
20 ~~itemize each form used, describe its purpose and identify~~
21 ~~those affected by it. The secretary of the department or head~~
22 ~~of the bureau or commission shall review and may modify their~~
23 ~~proposed estimate. After the secretary of the department or~~
24 ~~head of the bureau or commission has approved a paperwork~~
25 ~~estimate, new forms or requests for forms and publications~~
26 ~~may be approved and adopted only by the Secretary of Budget~~
27 ~~and Administration, upon the request of the head of the~~
28 ~~agency.~~

29 ~~(6)~~ (5) Forms and publications shall be reviewed within
30 two years after their initial issuance and then at least once

every five years. Following review, those forms which no longer meet the standards set forth in section 5(b)(2) shall be eliminated. Publications which are no longer required to accomplish the lawful purpose of the agency shall also be eliminated.

~~(c) Limitation on powers and duties of management officers of the State colleges and university. The duties prescribed in subsection (b) shall not apply to management officers of the State colleges and university in relation to educational testing papers and forms, dissertations, matters relating to scientific research and other books, ADMISSION RECRUITMENT BROCHURES, COLLEGE CATALOGUES AND papers and publications of an educational, cultural, scientific, literary or scholarly nature.~~

Section 6. Implementation of ~~plan~~ THE MANAGEMENT PROGRAM.

(a) Approval by the secretary.--Each agency shall file a copy of its forms and publications management ~~plan~~ PROGRAM with the ~~Paperwork Oversight Committee~~ DEPARTMENT OF GENERAL SERVICES on or before ~~February 1, 1982~~ JULY 1, 1983. ~~Only those forms and publications listed in an agency's management plan shall be used or distributed by the agency after January 1, 1983.~~

(b) Duties of Secretary of ~~Budget and Administration~~ GENERAL SERVICES.--The Secretary of ~~Budget and Administration~~ GENERAL SERVICES shall:

(1) Review and approve those management ~~plans~~ PROGRAMS which meet the provisions of this act.

(2) Take any steps necessary to prevent duplication including the assignment to a particular agency of lead responsibility for the collection AND DISSEMINATION of certain types of information.

(3) Monitor the administration of each forms AND

1 PUBLICATIONS management ~~plan~~ PROGRAM to insure adherence to <—
2 its provisions.

3 ~~(4) Report annually to the Governor on implementation of~~ <—
4 ~~this section and control of the paperwork burden generally.~~

5 ~~(c) Duties of the department. The Department of General~~
6 ~~Services shall:~~

7 ~~(1)~~ (4) Assist each agency in the development and
8 implementation of its forms and publications management plan.

9 ~~(2)~~ (5) Assist each agency in coordinating its <—
10 management plan with the plans of other agencies.

11 ~~(3)~~ (6) Eliminate duplication in requests for <—
12 information by establishing an information locator system,
13 which shall list all the types of information collected by
14 agencies and shall be available for use by all agencies.

15 ~~(4)~~ (7) Seek to inform the public and broaden public and <—
16 governmental comment by preparing and publishing the
17 Pennsylvania Bulletin an annual paperwork calendar of
18 significant requests for information. This calendar shall be
19 based on the information contained in the paperwork budgets
20 of the agencies.

21 ~~Section 7. Paperwork Oversight Committee.~~ <—

22 ~~(a) Establishment. There is hereby established a permanent~~
23 ~~joint legislative executive committee to oversee all rules and~~
24 ~~regulations and amendments thereto proposed in connection with~~
25 ~~this act. The committee shall be known as the Paperwork~~
26 ~~Oversight Committee.~~

27 ~~(b) Composition. The committee shall consist of the~~
28 ~~following seven members:~~

29 ~~(1) The chairman and the minority chairman of the House~~
30 ~~Committee on State Government OR THEIR RESPECTIVE DESIGNEE~~ <—

1 ~~WHO SHALL BE A MEMBER OF THE COMMITTEE.~~

2 ~~(2) The chairman and the minority chairman of the Senate~~
3 ~~Committee on State Government OR THEIR RESPECTIVE DESIGNEE~~ <—

4 ~~WHO SHALL BE A MEMBER OF THE COMMITTEE.~~

5 ~~(3) An appointee of the Secretary of Budget and~~
6 ~~Administration familiar with forms management.~~

7 ~~(4) An appointee of the Secretary of General Services~~
8 ~~familiar with printing.~~

9 ~~(5) The Director of the Legislative Reference Bureau or~~
10 ~~his designee.~~

11 ~~(c) Powers and duties. The committee shall review and~~
12 ~~comment on the forms management plan and cost estimate of each~~
13 ~~agency, prior to its submission to the secretary for final~~
14 ~~approval. The committee shall, within 30 days upon receipt of~~
15 ~~each forms management plan, forward such plans, along with their~~
16 ~~comments, to the Secretary of Budget and Administration for~~
17 ~~final approval.~~

18 ~~(d) Terms. The term of a member of the committee shall end~~
19 ~~when the member leaves his elected or appointed office.~~

20 (8) DEVELOP AND PROVIDE GUIDELINES FOR ALL STATEWIDE <—
21 FORMS AND PUBLICATIONS FUNCTIONS.

22 (9) SIMPLIFY AND DEVELOP IMPROVED PROCUREMENT TECHNIQUES
23 AND PRACTICES FOR PRINTING ACQUISITION WHICH WILL GENERATE
24 DOLLAR SAVINGS FOR THE COMMONWEALTH. INCLUDED THEREIN WILL BE
25 REFINED CONTRACT DEVELOPMENT WITH EMPHASIS ON MAINTAINING
26 CONTRACTS CURRENT WITH THE STATE OF THE ART.

27 (10) MAINTAIN STATISTICS CONCERNING, BUT NOT RELATED TO,
28 TYPES OF DOCUMENTS PROVIDED AND QUANTITIES EXPENDED.

29 (11) COMPILE AND MAINTAIN A COMPLETE INDEX OF ALL FORMS
30 AND PUBLICATIONS OF THE COMMONWEALTH.

1 SECTION 7. ANNUAL REPORT.

2 THE SECRETARY WILL ANNUALLY TRANSMIT TO THE GOVERNOR AND THE
3 GENERAL ASSEMBLY, FOR THEIR REVIEW AND COMMENT, A REPORT,
4 DESCRIBING THE TOTAL COMMONWEALTH FORMS AND MANAGEMENT PROGRAM <—
5 AND SUMMARIZING THE EFFECTS OF THE PROGRAM AND THE PROJECTIONS
6 FOR THE ENSUING YEAR. THE SECRETARY SHALL ENSURE THAT A WRITTEN
7 RESPONSE IS PROVIDED TO ANY COMMENT OR INQUIRY BY A MEMBER OF
8 THE GENERAL ASSEMBLY WITHIN 30 DAYS OF RECEIPT THEREOF.

9 Section 8. Construction of act.

10 No part of this act shall be construed to restrict any
11 official from issuing information to newspapers, magazines,
12 radio and television stations, nor to restrict any official from
13 corresponding with individual citizens.

14 SECTION 9. REPEALER. <—

15 (A) SUBSECTION (E) OF SECTION 701, ACT OF APRIL 9, 1929
16 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929,"
17 IS REPEALED.

18 (B) ALL ACTS OR PARTS OF ACTS WHICH ARE INCONSISTENT WITH
19 THE PROVISIONS OF THIS ACT ARE REPEALED TO THE EXTENT OF THE
20 INCONSISTENCY.

21 Section 9 10. Effective date. <—

22 This act shall take effect January 1, ~~1982~~ 1983. <—