
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 675

Session of
1981

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CLYMER AND WOZNIAK, FEBRUARY 18, 1981

SENATOR O'CONNELL, STATE GOVERNMENT, IN SENATE, AS AMENDED,
NOVEMBER 9, 1981

AN ACT

1 Establishing a procedure for the control of Commonwealth forms
2 and publications, 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, independent boards and commissions and the State
3 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.

8 "Management officer." A Forms and Publications Management
9 Officer designated pursuant to this act.

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

12 "Publications." Forms, periodicals, pamphlets or similar
13 printed material, except those reports specifically required by
14 law.

15 "Secretary." The Secretary of Budget and Administration, or,
16 in case the office is abolished, such other person as designated
17 by the Governor.

18 Section 3. Findings and policy.

19 (a) Findings:

20 (1) The General Assembly finds that in the Commonwealth,
21 businesses, particularly small businesses, and the public,
22 have been increasingly burdened by the forms and paperwork
23 required by State agencies.

24 (2) Confusing forms, duplicative reporting requirements
25 and other unnecessary paperwork, increases costs to
26 businesses, especially small businesses and consumers, and
27 contribute to inefficient government operations.

28 (3) Further, many governmental forms and publications
29 have become outmoded, others are reproduced in such manner as
30 to be overcostly and still others are produced or reproduced

1 by different departments causing overlapping and duplication
2 of effort.

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

6 (b) Policy.--It is hereby declared to be the policy of the
7 Commonwealth of Pennsylvania that all forms, publications,
8 pamphlets, periodicals and similar materials be reviewed and
9 revised by the Forms and Publications Management Officer of each
10 agency as provided in this act subject to the approval of the
11 Secretary of Budget and Administration.

12 Section 4. Management plan.

13 Every agency shall establish a Forms and Publications
14 Management Plan for the purpose of insuring that the agency uses
15 only those forms and distributes only those publications
16 necessary for its efficient operation.

17 Section 5. Forms and Publications Management Officer.

18 (a) Designation.--The head of every agency shall designate
19 an existing officer or employee of the agency to be the Forms
20 and Publications Management Officer.

21 (b) Duties.--

22 (1) The management officer shall compose and revise, as
23 necessary, the forms and publications management plan for the
24 agency subject to the approval of the Secretary of Budget and
25 Administration. The plan shall be administered by the
26 management officer, subject to this act.

27 (2) The management officer shall approve for use only
28 those forms which are necessary for the efficient operation
29 of the agency and which:

30 (i) Ask only for information lawfully required to

1 fulfill the mission of the agency.

2 (ii) Do not impose an undue burden on persons
3 completing the form.

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

6 (iv) Are brief, plainly written, well-designed and
7 easily completed.

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

16 (4) The management officer shall maintain an inventory
17 of all forms and publications in use or distributed by his
18 agency. Forms and publications shall be identified in
19 accordance with a systematic standard identification system
20 to be devised by the Department of General Services.

21 (5) The management officer shall prepare an annual
22 paperwork cost estimate, consisting of an estimate of the
23 total number of hours required of the public to comply with
24 the agency's requests for information. The estimate shall
25 itemize each form used, describe its purpose and identify
26 those affected by it. The secretary of the department or head
27 of the bureau or commission shall review and may modify their
28 proposed estimate. After the secretary of the department or
29 head of the bureau or commission has approved a paperwork
30 estimate, new forms or requests for forms and publications

1 may be approved and adopted only by the Secretary of Budget
2 and Administration, upon the request of the head of the
3 agency.

4 (6) Forms and publications shall be reviewed within two
5 years after their initial issuance and then at least once
6 every five years. Following review, those forms which no
7 longer meet the standards set forth in section 5(b)(2) shall
8 be eliminated. Publications which are no longer required to
9 accomplish the lawful purpose of the agency shall also be
10 eliminated.

11 (c) Limitation on powers and duties of management officers
12 of the State colleges and university.--The duties prescribed in
13 subsection (b) shall not apply to management officers of the
14 State colleges and university in relation to educational testing
15 papers and forms, dissertations, matters relating to scientific
16 research and other books, ADMISSION RECRUITMENT BROCHURES, <—
17 COLLEGE CATALOGUES AND papers and publications of an
18 educational, cultural, scientific, literary or scholarly nature.
19 Section 6. Implementation of plan.

20 (a) Approval by the secretary.--Each agency shall file a
21 copy of its forms and publications management plan with the
22 Paperwork Oversight Committee on or before February 1, 1982.
23 Only those forms and publications listed in an agency's
24 management plan shall be used or distributed by the agency after
25 January 1, 1983.

26 (b) Duties of Secretary of Budget and Administration.--The
27 Secretary of Budget and Administration shall:

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

30 (2) Take any steps necessary to prevent duplication

1 including the assignment to a particular agency of lead
2 responsibility for the collection of certain types of
3 information.

4 (3) Monitor the administration of each forms management
5 plan to insure adherence to its provisions.

6 (4) Report annually to the Governor on implementation of
7 this section and control of the paperwork burden generally.

8 (c) Duties of the department.--The Department of General
9 Services shall:

10 (1) Assist each agency in the development and
11 implementation of its forms and publications management plan.

12 (2) Assist each agency in coordinating its management
13 plan with the plans of other agencies.

14 (3) Eliminate duplication in requests for information by
15 establishing an information locator system, which shall list
16 all the types of information collected by agencies and shall
17 be available for use by all agencies.

18 (4) Seek to inform the public and broaden public and
19 governmental comment by preparing and publishing the
20 Pennsylvania Bulletin an annual paperwork calendar of
21 significant requests for information. This calendar shall be
22 based on the information contained in the paperwork budgets
23 of the agencies.

24 Section 7. Paperwork Oversight Committee.

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

30 (b) Composition.--The committee shall consist of the

1 following seven members:

2 (1) The chairman and the minority chairman of the House
3 Committee on State Government OR THEIR RESPECTIVE DESIGNEE <—
4 WHO SHALL BE A MEMBER OF THE COMMITTEE.

5 (2) The chairman and the minority chairman of the Senate
6 Committee on State Government OR THEIR RESPECTIVE DESIGNEE <—
7 WHO SHALL BE A MEMBER OF THE COMMITTEE.

8 (3) An appointee of the Secretary of Budget and
9 Administration familiar with forms management.

10 (4) An appointee of the Secretary of General Services
11 familiar with printing.

12 (5) The Director of the Legislative Reference Bureau or
13 his designee.

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

21 (d) Terms.--The term of a member of the committee shall end
22 when the member leaves his elected or appointed office.

23 Section 8. Construction of act.

24 No part of this act shall be construed to restrict any
25 official from issuing information to newspapers, magazines,
26 radio and television stations, nor to restrict any official from
27 corresponding with individual citizens.

28 Section 9. Effective date.

29 This act shall take effect January 1, 1982.