

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2368

Session of  
1992

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INTRODUCED BY JADLOWIEC, S. H. SMITH, GEORGE AND HASAY,  
FEBRUARY 3, 1992

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AS REPORTED FROM COMMITTEE ON CONSERVATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, FEBRUARY 4, 1992

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## AN ACT

1 Amending the act of July 31, 1968 (P.L.769, No.240), entitled  
2 "An act relating to Commonwealth documents; providing for the  
3 printing and distribution of administrative regulations;  
4 regulating the adoption, publication, codification and  
5 effectiveness of regulations, statements of policy, and  
6 certain other Commonwealth documents; creating the Joint  
7 Committee on Documents and prescribing its powers and duties;  
8 providing penalties, and making appropriations and repeals,"  
9 further defining "administrative regulation" ~~in general and~~ <—  
10 ~~particularly~~ in relation to the Department of Environmental  
11 Resources.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. Section 102(2) of the act of July 31, 1968  
15 (P.L.769, No.240), referred to as the Commonwealth Documents  
16 Law, is amended to read:

17 Section 102. Definitions.--The following words and terms  
18 shall have the following meanings, unless the context clearly  
19 indicates otherwise:

20 \* \* \*

21 (2) "Administrative regulation" means any regulation except

1 a proclamation, executive order, executive directive or other  
2 similar document promulgated by the Governor~~{, and the}~~. The <—  
3 ~~term also includes, without limitation, a written document, such~~  
4 ~~as a manual, a procedural manual, a guideline, an enforcement~~  
5 ~~guideline, a policy, an enforcement policy, a guidance manual;~~  
6 ~~an administrative opinion or a legal opinion regarding the~~  
7 ~~interpretation of a statute or regulation that is used by the~~  
8 ~~agency to implement a regulatory enforcement process; and a, AND~~ <—  
9 THE TERM INCLUDES A regulation which may be promulgated by an  
10 agency only with the approval of the Governor. The IN RELATION <—  
11 TO THE DEPARTMENT OF ENVIRONMENTAL RESOURCES ONLY, THE term  
12 includes a regulation of the Department of Environmental <—  
13 Resources and also includes, without limitation, a written  
14 document, such as a manual, a procedural manual, a guideline, an  
15 enforcement guideline, a policy, a guidance manual and an  
16 administrative opinion or a legal opinion regarding the  
17 interpretation of a statute or regulation that is used by the  
18 Department of Environmental Resources to implement a regulatory  
19 enforcement process.

20 \* \* \*

21 Section 2. This act shall take effect immediately.