

## No. 1982-256

## AN ACT

## HB 675

Establishing a procedure for the control of Commonwealth forms and publications and imposing duties on the Department of General Services.

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

Section 1. Short title.

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

Section 2. Definitions.

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

"Agency." All administrative departments, boards and commissions, and independent boards and commissions.

"Department." The Department of General Services.

"Forms." A document with a standard format which normally contains blank spaces for the insertion of required or requested information.

"Management officer." Person or persons designated pursuant to this act to manage a forms or publication program.

"Management program." A management program is defined as a written plan for developing, producing, utilizing and disseminating forms and publications.

"Publications." Brochures, pamphlets, periodicals, booklets, books or similar printed material.

"Secretary." The Secretary of the Department of General Services, or, in case the office is abolished, such other person as designated by the Governor.

Section 3. Findings and policy.

(a) Findings.—

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

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

(3) Further, many governmental forms and publications have become outmoded, others are reproduced in such manner that the costs become excessive and still others are produced or reproduced by different departments causing overlapping and duplication of effort.

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

(b) Policy.—It is hereby declared to be the policy of the Commonwealth of Pennsylvania that all forms and publications be reviewed and revised by the forms and publications management officer of each agency as provided in this act subject to the approval of the Secretary of General Services.

#### Section 4. Management program.

Every agency shall establish a forms and a publications management program which will be developed in accordance with standards as prescribed in directives/circulars issued by the Department of General Services to insure that the agency uses only those forms and distributes only those publications necessary for its efficient operation. Agencies shall include with the program a list of all forms and publications currently being used by the agency and a description of the forms which the agency needs and the publications which the agency desires to publish. For forms, an agency shall include an estimate of the total number of hours required of the public to comply with the agency's request for information. The list shall be updated annually by each agency while the program can be amended at any time.

#### Section 5. Forms and publications management officer.

(a) Designation.—The head of every agency shall designate from existing staff a management officer who shall be responsible for implementing the management program. The head of every agency shall advise the Department of General Services the name of the management officer.

#### (b) Duties.—

(1) The management officer shall compose and revise, as necessary, the forms and publications management program for the agency subject to the approval of the Secretary of General Services. The program shall be administered by the management officer, subject to this act.

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

(i) Ask only for information required to fulfill the mission of the agency.

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

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

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

(3) The management officer shall devote particular attention to the special burdens faced by individuals and small businesses in responding to requests for information. To minimize these burdens, the management officer is to insure that agencies forego uniform

reporting requirements and rely on sampling, reduced frequency of reporting, differing compliance standards or exemptions whenever possible.

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

(5) Forms and publications shall be reviewed within 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 subsection (b)(2) shall be eliminated. Publications which are no longer required to accomplish the lawful purpose of the agency shall also be eliminated.

#### Section 6. Implementation of the management program.

(a) Approval by the secretary.—Each agency shall file a copy of its forms and publications management program with the Department of General Services on or before July 1, 1983.

(b) Duties of Secretary of General Services.—The Secretary of General Services shall:

(1) Review and approve those management 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 publications management program to insure adherence to its provisions.

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

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

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

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

(8) Develop and provide guidelines for all Statewide forms and publications functions.

(9) Simplify and develop improved procurement techniques and practices for printing acquisition which will generate dollar savings for the Commonwealth. Included therein will be refined contract development with emphasis on maintaining contracts current with the state of the art.

(10) Maintain statistics concerning, but not related to, types of documents provided and quantities expended.

(11) Compile and maintain a complete index of all forms and publications of the Commonwealth.

**Section 7. Annual report.**

The secretary will annually transmit to the Governor and the General Assembly, for their review and comment, a report, describing the total Commonwealth forms and management program and summarizing the effects of the program and the projections for the ensuing year. The secretary shall ensure that a written response is provided to any comment or inquiry by a member of the General Assembly within 30 days of receipt thereof.

**Section 8. Construction of act.**

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

**Section 9. Repealer.**

(a) Subsection (e) of section 701, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," is repealed.

(b) All acts or parts of acts which are inconsistent with the provisions of this act are repealed to the extent of the inconsistency.

**Section 10. Effective date.**

This act shall take effect January 1, 1983.

APPROVED—The 13th day of December, A. D. 1982.

DICK THORNBURGH