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TO: Members of the House Game and Fisheries Committee

SUBJECT: Position Paper – House Bill 1576, P.N. 2133 (Rep. Pyle)

DATE: September 11, 2013

PBA SUPPORTS HOUSE BILL 1576

Bill Summary

House Bill 1576 requires the Pennsylvania Fish and Boat Commission and the Pennsylvania Game Commission to follow the provisions of the Regulatory Review Act (RRA) when promulgating regulations to list endangered species in the Commonwealth. The bill also provides for a centralized database, to be administered by the Department of Conservation and Natural Resources, listing the location of species and their habitats, the political subdivisions where they are found and potential avoidance, mitigation and seasonal considerations associated with each species. Persons granted access to the database will be prohibited from disclosing data to anyone other than individuals directly associated with the development project.

PBA Position

PBA supports House Bill 1576 for the reasons listed below. We ask that you vote in support of the legislation.

- **Regulations promulgated in compliance with the criteria of the Regulatory Review Act result in better administrative law.** The regulatory review process is an open, accountable process in which regulations are critically examined. The regulated community, the General Assembly, and IRRC become integrally involved in the development and oversight of regulations. IRRC's involvement helps to insure agency accountability and judicious use of regulatory authority prior to the imposition of unforeseen costs on small businesses.
- **Overregulation of small business is a direct impediment to job growth.** The criteria used to evaluate regulations under the RRA encompass a wide range of potential effects including social impact and the cost on Pennsylvania's business climate. In many cases, these considerations are not part of internal decision-making and offer a more broad-based approach.
- **Confidential access to the database will function as a cost-saving planning tool.** House Bill 1576 will allow persons involved in land development activities to accurately and efficiently create plans that will be sensitive to and protect endangered species and critical habitats.

If you have any questions, please contact me at 717-386-9941 or bsailhamer@pabuilders.org.