

**PART III. INDEPENDENT REGULATORY REVIEW
COMMISSION**

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Notes of Decisions

If a department that promulgated a regulation or the Independent Regulatory Review Commission refuses to review a regulation that is potentially in conflict with a statute, this suggests that redress through a channel other than the court is futile. Therefore, judicial scrutiny is required to ensure that the regulation conforms to the law under which it was promulgated. *Keith v. Com. Ex rel. Pennsylvania Dept. of Agriculture*, 116 A.3d 756 (2015).

The Independent Regulatory Review Commission’s function to review proposed regulations is quasi-administrative or quasi-legislative, but it is not an adjudicatory body. Thus, its approval of a regulation is not an adjudication by an administrative agency. *Concerned Citizens of Chestnuthill Township v. Department of Environmental Resources*, 632 A.2d 1 (Pa. Cmwlth. 1993); appeal denied 642 A.2d 488 (Pa. 1994).

CHAPTER 101. [Reserved]

Source

The provisions of this Chapter 101 adopted October 3, 1986, effective October 4, 1986, 16 Pa.B. 3689; reserved July 2, 1999, effective July 3, 1999, 29 Pa.B. 3349. Immediately preceding text appears at serial pages (189025) to (189026), (113513) to (113516) and (189027).

§§ 101.1—101.11. [Reserved].

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(378774) No. 494 Jan. 16

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