

LEGISLATIVE REGULATION REVIEW COMMITTEE

2009/2010 RULES

- (1) The committee shall meet on the fourth Tuesday of each month, except for the month of December when the committee shall meet on the third Tuesday. Special meetings may be called by either of the chairpersons. A regular meeting may be called by either of the chairpersons. Any regular meeting may be postponed on agreement of the chairpersons.
- (2) At any meeting of the committee, eight members shall constitute a quorum for the transaction of the business before the committee.
- (3) Each member of the committee shall have one vote. Any action by the committee shall require the affirmative vote of the majority of those members present, except, no regulation proposed by an agency shall be disapproved or rejected without prejudice, in whole or in part, except by the affirmative vote of at least eight members of the committee. There shall be no voting by proxy.
- (4) A complete record of all meetings of the committee shall be kept on file in the office of the committee.
- (5) The chairpersons shall act as co-presiding officers at all meetings of the committee when both are present, unless they agree otherwise. If one of the chairpersons is absent, the other shall preside, if both are absent, the ranking members shall act as presiding officers pro-tempore, unless they agree otherwise.
- (6) The chairpersons may appoint such subcommittees as they deem necessary to carry on the work of the committee; such subcommittees shall have whatever authority may be delegated to them by the committee, including, but not limited to, reviewing proposed regulations submitted by one or more state agencies.
- (7) Submittal of a proposed "permanent" regulation to the standing Legislative Regulation Review Committee as required by Section 4-170(b) of the General Statutes shall be on the first Tuesday of a month. The sixty-five and thirty-five day periods for action by the committee as required by Sections 4-170(c) and 4-170(e) of the General Statutes shall commence on the date of submittal, as follows:
 - (a) Sixty-five day period (1st submittal): **New** proposed permanent regulations.
 - (b) Thirty-five day period (2nd submittal): **Resubmitted** proposed permanent regulations that were rejected without prejudice.
- (8) (a) Submittal of a proposed "emergency" regulation to the Standing Legislative Regulation Review Committee shall be in accordance with Section 4-168(f) of the General Statutes.
 - (b) The committee procedure for a proposed emergency regulation shall be as follows:
 - (1) Immediately upon receipt, a proposed emergency regulation shall be logged and forwarded to all members. The time period starts the day

following receipt by the Office of the Legislative Regulation Review Committee.

(2) Section 4-168(f) of the General Statutes states that the Legislative Regulation Review Committee may either approve or disapprove, in whole or in part, an emergency regulation within ten days (excluding Saturdays, Sundays and holidays) prior to the proposed effective date of the proposed regulation at a regular meeting, or may upon the call of either chairperson or any five or more committee members hold a special meeting for the purpose of approving or disapproving, in whole or in part, such proposed regulation.

(3) The failure of the committee to meet to act on a proposed emergency regulation prior to the proposed effective date of the proposed regulation is deemed an approval. For this reason, and because the rejection of any regulation requires the affirmative vote of at least eight members, a special meeting may be called.

(c) The rules for the call of a committee meeting on a proposed emergency regulation shall be as follows:

(1) Either chairperson may call a special meeting of the full committee, to approve or disapprove, in whole or in part, the proposed regulation within the ten-day period (excluding Saturdays, Sundays and holidays) prior to the proposed effective date of the proposed regulation.

(2) If five or more committee members register concern over the adoption of the proposed regulation with either chairperson, the chairperson shall call a special meeting to consider the proposed regulation within the ten-day period (excluding Saturdays, Sundays and holidays) prior to the proposed effective date of the proposed regulation.

(9) For the benefit of Legislators and the public, agendas will be posted in the Office of the Legislative Regulation Review Committee, Room 011 of the State Capitol and on both the Committee Internet & Intranet sites.

(10) (a) All regulations submitted to the Office of the Legislative Regulation Review Committee shall include a submittal letter summarizing why the regulation is being promulgated and what is included in the regulation and a summary of all public hearings held by the Agency or comments received concerning their proposed regulations.

(b) For each regulation submitted to said office, the statement of purpose required by Section 4-170(b) of the General Statutes shall be a detailed, plain language narrative that includes (1) the purpose of the regulation, including the problems, issues or circumstances that the regulation proposes to address, (2) a summary of the main provisions of the regulation, and (3) the legal effects of the regulation, including all the ways that the regulation would change existing regulations or other law.

(11) Requests by an agency for early consideration of a regulation by the committee must be received at least one week before the fourth Tuesday in the month prior to the month the agency wishes the regulation to be considered. If the request is approved, the regulation must be submitted in final form, with the approval of the Attorney General no later than the first Tuesday of the month in which the regulation is to be considered.

(12) An agency may withdraw a regulation from consideration by the committee by submitting to the committee, prior to the convening of the meeting at which the committee will consider the regulation, a written notification of withdrawal. A regulation may be withdrawn after the meeting is convened only with the approval of the committee.

(13) Corrections or substitute pages for a regulation already submitted to the committee must be submitted by the agency at least one week before the date the regulation is to be acted upon by the committee in order to be considered.

(14) These rules of procedure may be amended by the affirmative vote of not less than eight members of the committee at a meeting duly warned and held for that purpose.

PURPOSE

The Legislative Regulation Review Committee was established to ensure a proper legislative review of proposed agency regulations. Because administrative regulations have the force of law, a closer scrutiny and control by the legislative branch is clearly in the public interest to ensure that regulations do not contravene legislative intent. *Committee Rules were first adopted February 15, 1972 and amended on February 15, 1985, January 22, 1991, January 11, 1997, March 26, 2002, January 25, 2005, January 23, 2007, and July 29, 2009 (Chapter 54 C.G.S.).*