



General Assembly

February Session, 2000

Raised Bill No. 5051

LCO No. 533

Referred to Committee on Environment

Introduced by:
(ENV)

***An Act Concerning The Uniform Administrative Procedures Act
And Emergency Regulations.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (f) of section 4-168 of the general statutes is repealed and
2 the following is substituted in lieu thereof:

3 (f) (1) An agency may proceed to adopt an emergency regulation in
4 accordance with this subsection without prior notice or hearing or
5 upon any abbreviated notice and hearing that it finds practicable if (A)
6 the agency finds that adoption of a regulation upon fewer than thirty
7 days' notice is required (i) due to an imminent peril to the public
8 health, safety or welfare or (ii) by the Commissioner of Environmental
9 Protection in order to comply with the provisions of interstate fishery
10 management plans adopted by the Atlantic States Marine Fisheries
11 Commission or to meet unforeseen circumstances or emergencies
12 affecting marine resources, (B) the agency states in writing its reasons
13 for that finding and (C) the Governor approves such finding in
14 writing.

15 (2) The original of such emergency regulation and eighteen copies

16 shall be submitted to the standing legislative regulation review
17 committee in the form prescribed in subsection (b) of section 4-170,
18 together with a statement of the terms or substance of the intended
19 action, the purpose of the action and a reference to the statutory
20 authority under which the action is proposed, not later than ten days,
21 excluding Saturdays, Sundays and holidays, prior to the proposed
22 effective date of such regulation. The committee may approve or
23 disapprove the regulation, in whole or in part, within such ten-day
24 period at a regular meeting, if one is scheduled, or may upon the call
25 of either chairman or any five or more members hold a special meeting
26 for the purpose of approving or disapproving the regulation, in whole
27 or in part. Failure of the committee to act on such regulation within
28 such ten-day period shall be deemed an approval. If the committee
29 disapproves such regulation, in whole or in part, it shall notify the
30 agency of the reasons for its action. An approved regulation, filed in
31 the office of the Secretary of the State, may be effective for a period of
32 not longer than one hundred twenty days renewable once for a period
33 of not exceeding [sixty] one hundred twenty days, provided
34 notification of such [sixty-day] one hundred twenty-day renewal is
35 filed in the office of the Secretary of the State and a copy is given to the
36 committee, but the adoption of an identical regulation in accordance
37 with the provisions of subsections (a), (b) and (d) of this section is not
38 precluded.

39 (3) If the necessary steps to adopt a permanent regulation, including
40 publication of notice of intent to adopt, preparation and submission of
41 a fiscal note in accordance with the provisions of subsection (b) of
42 section 4-170 and approval by the Attorney General and the standing
43 legislative regulation review committee, are not completed prior to the
44 expiration date of an emergency regulation, the emergency regulation
45 shall cease to be effective on that date.

Statement of Purpose:

To extend from one hundred eighty to two hundred forty the number of days an agency has to make emergency regulations permanent.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]