



LEAGUE OF WOMEN VOTERS OF CONNECTICUT, INC.®

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CGA Government Administration and Elections Committee

March 10, 2014 Public Hearing

Testimony Submitted by Alison Rivard, Vice President for Public Issues

SB 349 (Raised): AAC Regulations of Significant Impact

The League of Women Voters of Connecticut is a statewide organization with over 1600 members committed to effective public policy and the active involvement of citizens in their government. We appreciate the opportunity to submit comments on the proposed changes in regulatory process before you today.

Under the governing Principles applicable to the League of Women Voters across the U.S., the League believes that responsible government should share in the solution of economic and social problems that affect the general welfare and promote the conservation and development of natural resources in the public interest.

SB 349 proposes to adopt a broad new category of CT state agency regulation identified as a "*regulation reasonably likely to have significant impact*" and mandates that any proposed regulation so labeled undergo a more rigorous, time-consuming examination during the rule-making process, with specific, detailed findings required of the agency prior to adoption. These special requirements present hoops so high as to pose a significant deterrent to new regulation. For example, here is some of the information that must be included in the statement circulated by the agency to interested parties concerning the proposed regulation under Section 4-168(d) of the General Statutes and also posted on eRegulations for certain of the information:

- "whether the benefits of the proposed regulation outweigh the costs to the agency and any persons or entities impacted";
- "a description of specific nonregulatory options considered" and why rejected;
- "a detailed impact analysis, that shall, where practicable, **be developed in consultation with external experts and academic institutions**";
- a requirement that such impact analysis include "a review of both qualitative and quantitative costs and benefits, **based on the best available empirical and peer-reviewed scientific information**";

- “an evaluation of feasible regulatory alternatives that would achieve the same regulatory objectives;”
- “an explanation of the extent to which innovative measures to reduce the burden on entities affected by the proposed regulation were incorporated”, “including economic incentives, performance standards and disclosure requirements.”

The effect is to add complexity to the rule-making process, to say the very least, and certainly does not advance goals of streamlining the promulgation and amending of regulations.

What category of regulation becomes “reasonably likely to have significant impact” and trigger the heavy load of steps to adoption? A regulation which “the agency, the Office of Policy and Management or the Governor determines (A) presents a substantial change in policy, or (B) is anticipated to place a substantial burden on the public or on businesses in the state.” But beyond these logical criteria, the bill would provide that:

“An agency **shall find** a proposed regulation to be reasonably likely to have significant impact if (1) the agency determines the proposed regulation (A) has a **potential adverse impact on small businesses...**” This potential adverse impact (perceived by whom?) would trigger an expensive, time-consuming regulatory review, the cost of which is borne by the taxpayers.

The League of Women Voters of Connecticut believes that an informed, transparent and accountable process for promulgating and amending state regulations can benefit the citizens, businesses and municipalities of Connecticut, **when** that process recognizes the need to balance business interests with with protecting public health and safety, preserving our natural heritage, and meeting the needs of our most vulnerable members of society. We do not see that balance in the bill language cited above.

Thank you for your consideration.