



Dannel P. Malloy

GOVERNOR
STATE OF CONNECTICUT

Testimony of Christopher Smith
Office of Governor Dannel P. Malloy

In opposition to Senate Bill 744
An Act Establishing A Fixed Time Period For Agency Review Of Existing Regulations

Dear Senator Cassano and Representative Jutila, Senator McLachlan and Representative Smith and members of the Government Administration and Elections Committee,

Thank you for the opportunity to provide testimony on SB 744. This concept bill seeks to amend section 4-189i of the General Statutes to require agencies to examine their existing regulations and issue a report to the Legislative Regulations Review Committee detailing necessary amendments or repeals every four years, rather than every five. While our office supports the concept of such a review, we believe the executive branch is in a better position to review its own regulations and initiate the standard regulation-making process to effectuate necessary amendments or repeals.

The regulation-making process is an example of a delegation of power to the executive branch to implement programs the legislature has created. The Connecticut Legislature already has a high degree of input into the substance of the executive branch's regulations as compared to other states. The Legislature routinely requires agencies to adopt regulations within a specified time frame and section 4-170b requires the agencies to report to the Regulations Review Committee if they have not adopted such regulations within the statutory timeframe. Moreover, our Constitution has been amended to permit the Legislature to create the Regulations Review Committee to review every regulation adopted and reject such regulation for any reason. Our Legislature's involvement in the regulation-process is unprecedented in other states and at the federal level, and we are therefore hesitant to support any effort to further strengthen it. Indeed, we would urge the committee to consider repealing 4-189i outright and work with the administration towards better enforcement and compliance with the reporting provisions in 4-170b. To this end, we have already begun work with the Regulations Review Committee leadership on those reporting provisions and other ideas to streamline that process.

As this committee well knows, last year the Governor directed state agencies to undergo a comprehensive review of agency regulations and in partnership with this committee and the General Assembly, we passed a bill repealing nearly 1,000 pages of outdated, unnecessary regulations. I would respectfully submit that the administration, whose executive branch agencies are responsible for writing regulations, is in a better position to lead such a process and achieve real results.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Smith", written over a horizontal line.

Christopher F. Smith
Deputy Director of Government Affairs
Office of Governor Dannel P. Malloy