



OFFICE OF THE GOVERNOR  
STATE OF CONNECTICUT

**Testimony of Christopher F. Smith, Deputy Director of Government Affairs  
Office of Governor Dannel P. Malloy  
Support of Governor's Bill 16  
An Act Increasing Agency Efficiency in the Regulation Process**

Chairmen Cassano and Jutila, Ranking Members McLachlan and Smith, and members of the Government Administration and Elections Committee:

This bill is submitted to you by Governor Dannel P. Malloy as part of a broader agenda to refocus agency efforts toward executing their core missions. It is also one of several proposals over the last few Legislative sessions that has sought greater efficiency specifically in the regulation making process.

This proposal would permit commissioners and other department heads to certify that regulations otherwise mandated in statute are not necessary if it is deemed that the statute is sufficient to enforce the provisions of the section. In the event that such a situation occurs, this would potentially save significant staff time and resources by allowing the agency to focus on core functions rather than commencing a lengthy regulations process that is unnecessary.

Secondly, this bill makes minor and clarifying changes to the emergency regulation process. It removes the requirement that an agency propose an effective date for the emergency regulation, and instead, imposes a 10-day time period for the Legislative Regulations Review Committee to act on the proposed emergency regulation. The emergency regulation will be effective upon publication on the eRegulations system, like other regulations.

This bill repeals the requirement for agencies to annually report to the Regulations Review Committee a list of any statutorily mandated regulations that were not adopted as of January 1st of that year. It appears that historically this requirement was not uniformly implemented. While we appreciate the intent, this is a function that we believe would better be handled by the legislative branch.

Lastly, this bill exempts agencies with commissioners and other department heads that are appointed by the Governor from CGS 4-189i. This statute requires that each agency participate in a hearing every five years with the Regulations Review Committee to examine regulations on the books that are outdated, overly burdensome, or have been the subject of complaints. While the intent of this section is also appreciated, we believe that this is duplicative of executive function. Two years ago, Governor Malloy directed all state agencies through Executive Order 37, to do just what this section of statute seeks to achieve. The result of that work was a legislative proposal that successfully repealed nearly 1000 pages of outdated or overly burdensome regulations. Furthermore, nothing prevents committees of cognizance from conducting this work as they deem appropriate through the legislature's existing powers. This exercise would better be handled by the executive branch, or if necessary, by standing committees of cognizance through existing legislative powers. It is for these reasons that we believe this section of statute is unnecessary, particularly for those agencies under CGS 4-5.

It should be noted that this office has had some initial conversations with legislators, including the Chairmen of the Regulations Review Committee, and stakeholders about the intent of this proposal and have received some helpful feedback on ways to improve and to better clarify its intent. We remain ready to work with this committee, the Regulations Review Committee and any interested parties on this legislation. Governor Malloy has always made efficiency in government a priority, and this effort is even more important now while facing a new economic reality. This bill seeks to make the regulation making process more efficient and provides agencies with additional tools to continue the work of better focusing their resources on their core missions. This office looks forward to working with you and others on this bill, including the consideration of other ideas to achieve the goal of a more efficient regulation making process to better serve the people of this state.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Smith", written in a cursive style.

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