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STATE OF CONNECTICUT

BY HIS EXCELLENCY

DANNEL P. MALLOY

EXECUTIVE ORDER NO. 37

WHEREAS, my administration is committed to creating jobs, enhancing opportunities for Connecticut businesses, and otherwise supporting the economic development of the state;

WHEREAS, my administration is committed to promoting the transparency of and accessibility to state regulations, as demonstrated by the establishment of the eRegulations System, which is already providing online access to state regulations and will eventually provide real-time web access to the entire regulation-making record;

WHEREAS, while state regulations are often necessary to promote public health, safety, welfare, and protect our environment, they must be reviewed periodically to identify those that have become outdated, unnecessarily burdensome, insufficient, or ineffective;

WHEREAS, Connecticut's businesses, non-profits, and residents can provide invaluable insight into which regulations should be kept and which others should be modified or repealed;

WHEREAS, regulatory policy benefits from public participation in the administrative process;

WHEREAS, the procedures required under Connecticut law for promulgating and amending regulations can be time-consuming and cumbersome and, as a result, regulations that should be repealed or modified are often left unchanged;

WHEREAS, in all instances, the benefits of regulations must justify their costs, and the objectives of regulations must be achieved through the least burdensome means available;

NOW, THEREFORE, I, DANNEL P. MALLOY, Governor of the State of Connecticut, by virtue of the power and authority vested in me by the Constitution and by the Statutes of the State of Connecticut do hereby **ORDER AND DIRECT**:

AGENCY REVIEW OF EXISTING REGULATIONS

1. Effective immediately, my office shall solicit public comments regarding regulations that have been in effect for greater than four years and whether such regulations are outdated, unnecessarily burdensome, insufficient, or ineffective. Comments must be submitted through the Governor's website at www.governor.ct.gov/regulations. Comments should be submitted by December 16, 2013 and should identify the name and affiliation of the commenter, the regulation commented on (by title or section number), the relevant agency, any regulatory action advocated (for example, repeal or modification), and the reason such action is sought. State regulations may be accessed at www.ct.gov/eregulations.
2. My office will provide each agency with the public comments received relating to regulations under its jurisdiction. Each agency shall undertake an analysis of all comments

received in order to identify any regulations that are outdated, unnecessarily burdensome, insufficient, or ineffective.

3. Additionally, each agency shall conduct an independent review of all regulations under such agency's jurisdiction that have been in effect for greater than four years in order to identify any that are outdated, unnecessarily burdensome, insufficient or ineffective.
4. On or before February 3, 2014, each agency shall provide my office with a report that: (a) summarizes the comments received regarding regulations under its jurisdiction; (b) recommends the elimination or modification of any regulation that it deems outdated, unnecessarily burdensome, insufficient, or ineffective pursuant to Sections 2 and 3 of this Order; and (c) offers a plan for implementing such recommendations.
5. Each agency shall, upon the approval of my office and the Office of Policy and Management, work to implement such plan as expeditiously as feasible and permitted by law.

A MORE TRANSPARENT AND EFFICIENT REGULATORY PROCESS

Effective immediately, for any new regulation, and for any repeal or modification of an existing regulation not made pursuant to Section 5 of this Order, the following principles and procedures shall apply:

6. Before taking any regulatory action, each agency shall:
 - a. clearly identify their policy goals, carefully consider whether additional regulation is needed to achieve those goals, and strive to address those needs in a manner proportionate to their significance;
 - b. each agency shall strive to ensure in all cases that the benefits of regulations justify their costs, whether qualitative or quantitative, and that regulations employ the least burdensome means available to achieve regulatory objectives;
 - c. endeavor to encourage economic progress and the development of jobs in Connecticut, and only seek to regulate when there is a clear need for regulation;
 - d. identify best practices for regulation, using the most innovative and least burdensome tools for achieving regulatory ends, including economic incentives, performance standards, and disclosure requirements;
 - e. write regulations in language that is plain and easily understood.
7. Before taking any regulatory action relating a regulation of significant impact, each agency shall:
 - a. develop, consider, and make public a rigorous impact analysis, which shall include, but not necessarily be limited to: (a) a review of both qualitative and quantitative costs and benefits, based on the best available empirical and scientific information; and (b) an evaluation of feasible regulatory alternatives that would achieve the same regulatory objectives;
 - b. where practicable, engage with external experts and academic institutions to inform such impact analysis.
8. Where appropriate, prior to issuing formal notice pursuant to section 4-168 of the General Statutes, an agency shall gather public input relevant to the subject matter of a potential regulation by publishing an advance notice of proposed rule-making on the eRegulations website and indicating how the public may comment.
9. To the extent feasible and permitted by law, where an agency anticipates proposing a regulation of significant impact, such agency shall give notice of its intent to regulate pursuant to section 4-168 of the Connecticut General Statutes no fewer than sixty days prior to submitting such proposed regulation to the Attorney General for review, thereby providing the public with an extended opportunity to submit written comments on the proposed regulation. Prior to submission to the Attorney General, each agency shall revise such proposed regulation, where appropriate, to incorporate the substance of comments received.
10. Each agency must continue to receive approval from the Office of Policy and Management and the Office of the Governor prior to issuing a notice of its intent to regulate pursuant to section 4-168 of the Connecticut General Statutes. Each agency shall submit a draft of any

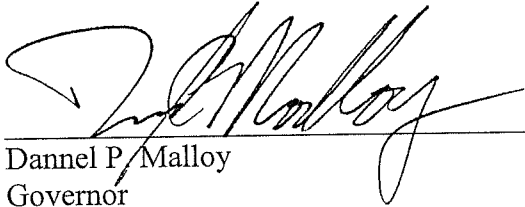
proposed regulation to the Office of Policy and Management and the Office of the Governor not less than thirty days prior to giving such notice. The Office of Policy and Management shall: (a) review the draft regulation to ensure compliance with the provisions of Sections 6 and 7 of this Order, and (b) distribute the draft regulation to other affected agencies in order to (i) determine if there is a risk of inconsistent or duplicative regulation and (ii) identify any other conflicts of policy.

IMPLEMENTATION OF THIS ORDER

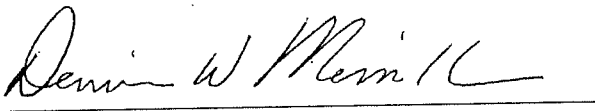
11. Each agency shall designate an Officer of Regulatory Affairs to coordinate with my office in implementing the provisions of this Order, and report the name of such person to the Governor's General Counsel's Office.
12. As used in this Order, the term "regulatory action" is defined to include (a) giving notice of intent to regulate pursuant to section 4-168 of the Connecticut General Statutes and (b) adopting a proposed regulation.
13. As used in this Order, the term "regulation of significant impact" shall mean any regulation that may have an adverse impact on small businesses, will have a significant financial impact on medium or large businesses, is anticipated to have a cost to the state of \$1 million or more or to any municipality of \$100,000 or more, or, in the judgment of the Governor's Office, the Office of Policy & Management, or the agency, based on public comment received, the potential regulation presents a substantial shift in policy or is anticipated to place substantial burdens on citizens or on the private sector.
14. This Order shall not apply to agencies with executive heads who do not report directly to the Governor (for example, agencies within the Office of Governmental Accountability); however, such agencies are encouraged to voluntarily comply with the provisions of this Order, and my office will work with such agencies as requested.

This Order shall take effect immediately.

Dated at Hartford, Connecticut this 16th day of October, 2013.


Dannel P. Malloy
Governor

By His Excellency's Order


Denise Merrill
Secretary of the State

