

Administrative Rules: Reduce and Improve

“Over time, rules and regulations have been added to the books that are no longer needed. Executive agencies have identified hundreds of rules that are unnecessary. These obsolete rules are a source of confusion and frustration for men and women who are regulated by state government, as well as for the regulators, who waste time flipping through hundreds of excessive and outdated rules.”

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Governor's Regulatory Review Council (GRRC)

- For most agencies, the Council approves rulemakings and five-year-review reports.
- The Council is composed of seven members, six of which are appointed by the Governor with confirmation by the Senate.
- The Council meets twice a month at public meetings.
- Council staff provides support for all aspects of the rulemaking process.



Why are we all here?

- Take outdated or unnecessary rule provisions off of the books!
- Elimination via Expiration
 - The fastest process: 3-7 weeks
- Elimination via Repeal
 - When eliminating rules, use the repeal process, instead of expiration, if additional stakeholder feedback could be beneficial.
- Improvement via Amendment

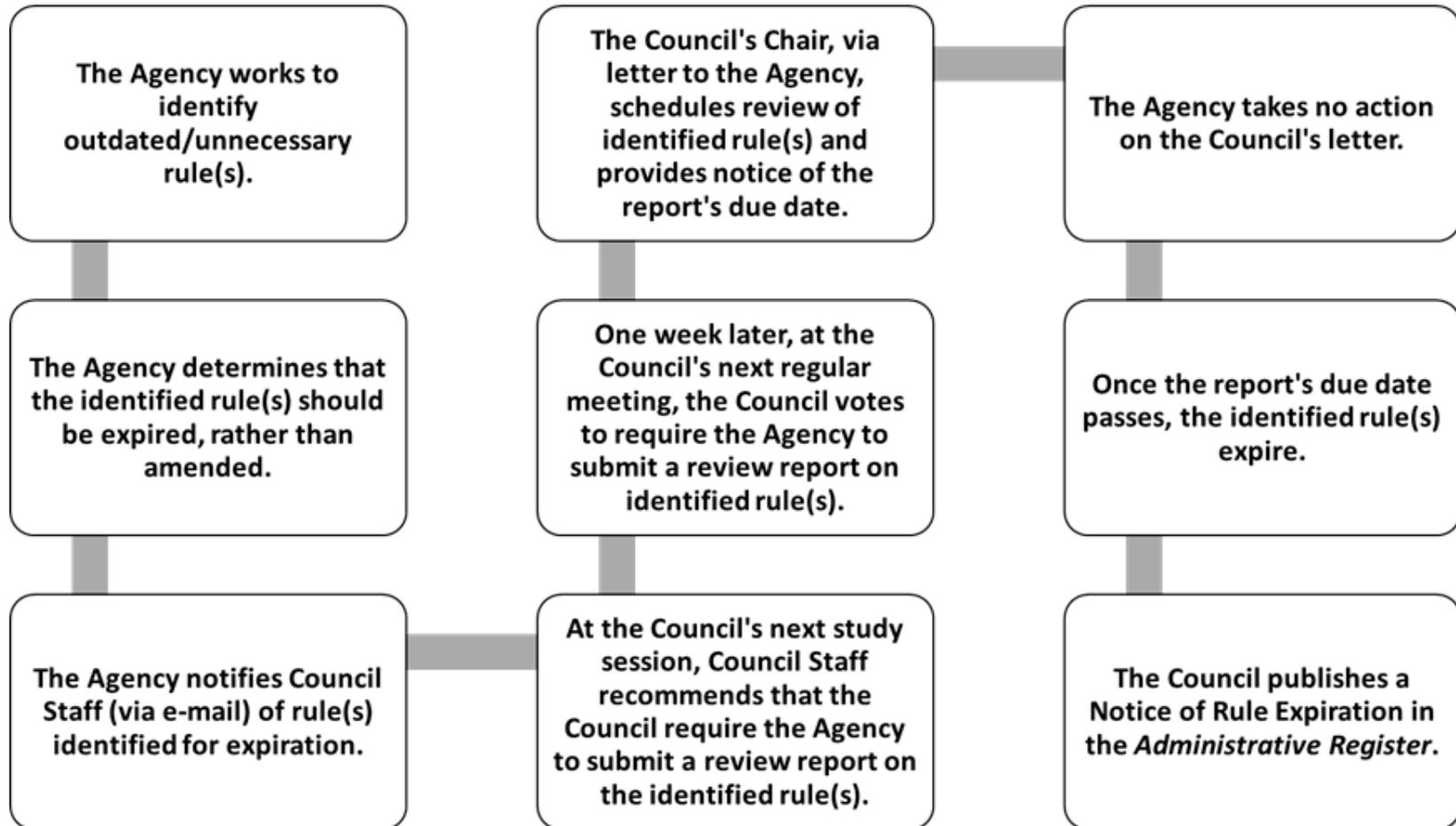


Agency Scorecard Metric

- # of administrative rules eliminated or improved/streamlined by your agency (NOTE: does not include rules transferred to another agency)
- An improved rule is defined as the repeal of a rule that is overly burdensome, antiquated, contradictory, redundant, or nonessential; or modification of a rule to reduce regulatory burden, administrative delay or uncertainty



Flowchart #1 – EXPIRATION:



EXPIRATION:

Process for Expiration of Outdated/Unnecessary Rules

The Agency works to identify outdated/unnecessary rule(s).

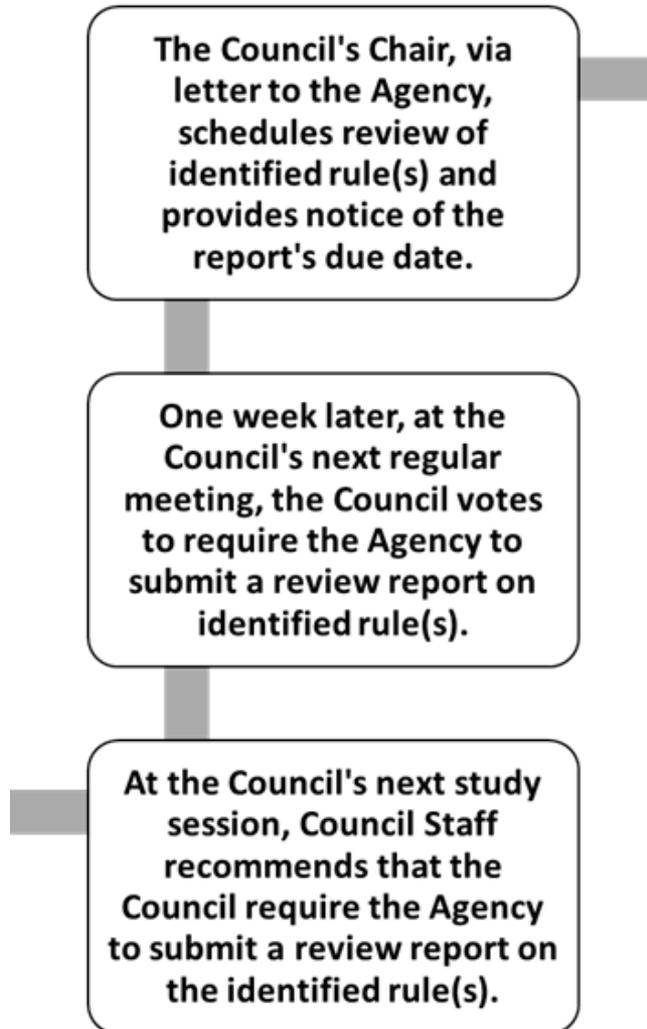
The Agency determines that the identified rule(s) should be expired, rather than amended.

The Agency notifies Council Staff (via e-mail) of rule(s) identified for expiration.



EXPIRATION:

Process for Expiration of Outdated/Unnecessary Rules



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The Agency takes no action on the Council's letter.

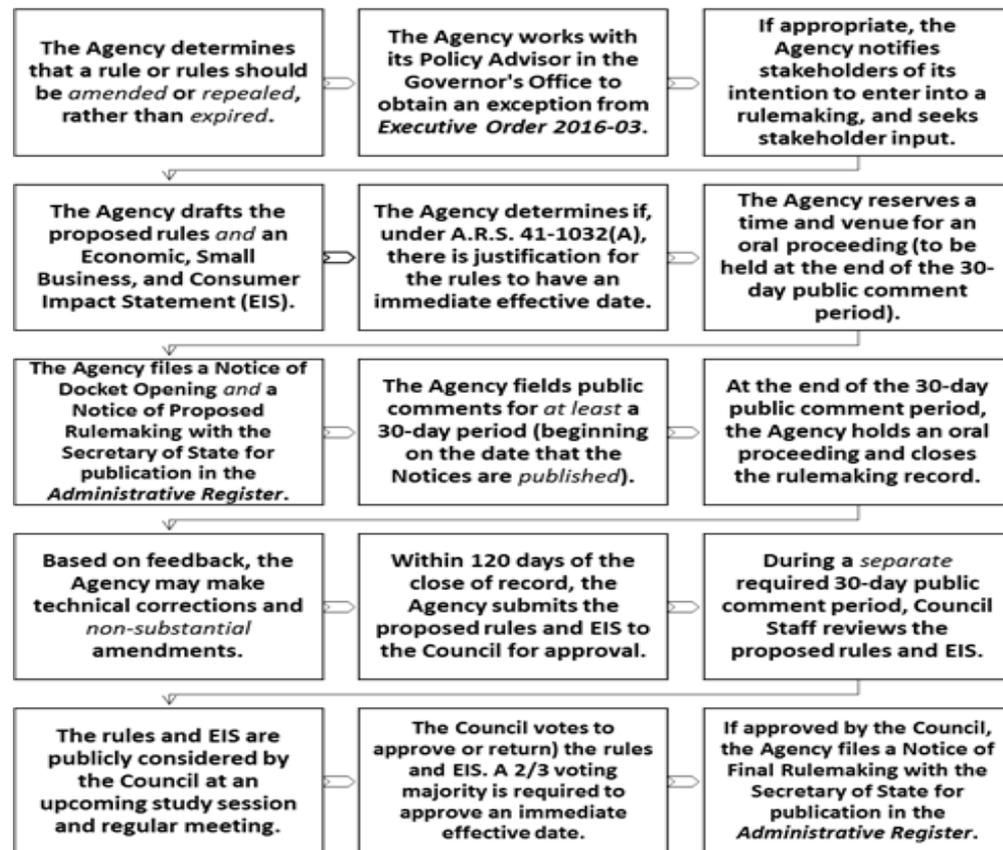
Once the report's due date passes, the identified rule(s) expire.

The Council publishes a Notice of Rule Expiration in the *Administrative Register*.



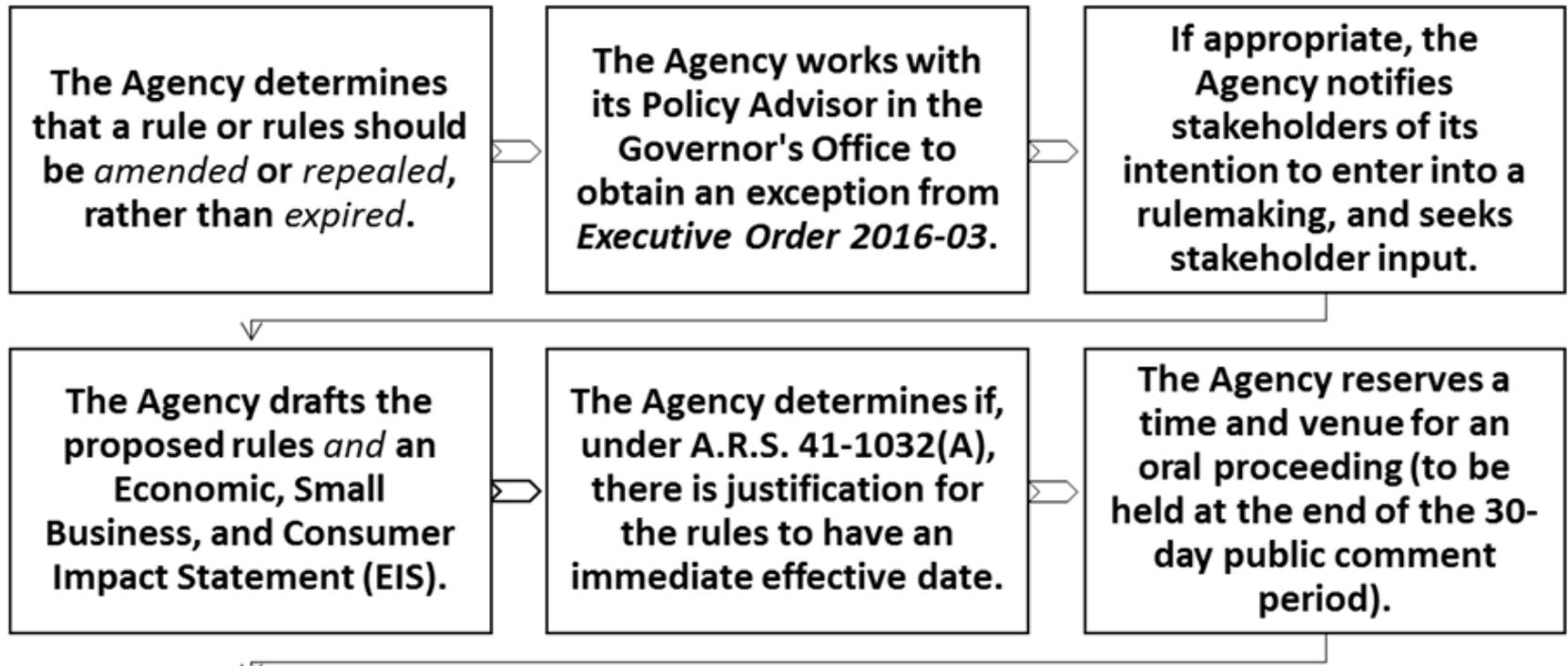
Flowchart #2 – REPEAL OR IMPROVEMENT: Basic Process for Repealing or Improving Rules

To illustrate an example of the regular rulemaking process functioning in an efficient manner, the staff of the Governor’s Regulatory Review Council (Council) has developed the flowchart below. As the particular circumstances surrounding any potential rulemaking may require changes to this process, please contact Council staff with questions as they arise.

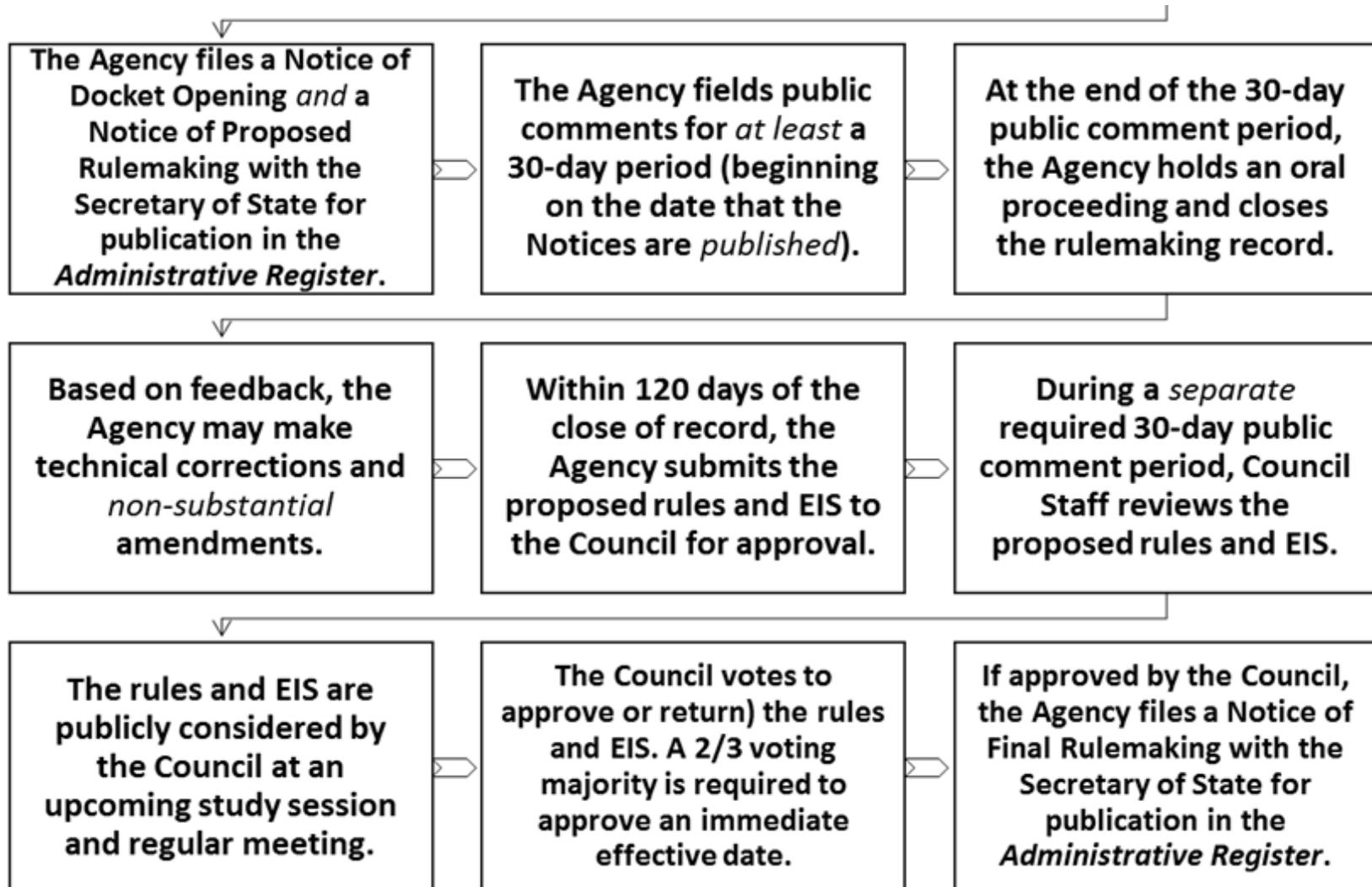


REPEAL OR IMPROVEMENT:

Basic Process for Repealing or Improving Rules



REPEAL OR IMPROVEMENT: Basic Process for Repealing or Improving Rules



Next Steps

- Review the response your agency prepared to Executive Order 2015-01.
- Review recent five-year-review reports prepared by your agency.
- Identify any rules that are ready for:
 1. Elimination via Expiration
 2. Elimination via Repeal (use repeal instead of expiration if additional stakeholder feedback could be beneficial)
 3. Improvement via Amendment

