



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Executive Order 2017-02

an order regarding Executive Branch regulatory reform

WHEREAS, government regulations are intended to protect and promote the public health, safety, or welfare of the citizens of New Hampshire; and

WHEREAS, certain regulations are duplicative or obsolete, or may impose unnecessary burdens and costs on New Hampshire's citizens and businesses; and

WHEREAS, while regulations are reviewed periodically as part of the re-adoption process overseen by the Joint Legislative Committee on Administrative Rules and provided for in the New Hampshire Administrative Procedure Act, NH RSA 541-A, an Executive Branch wide review provides opportunities for coordination across agencies and the solicitation of input from public stakeholders in regulated communities; and

WHEREAS, in a letter dated January 5, 2017, I requested each agency, department, board, commission, authority, or other body within the Executive Branch authorized by law to make rules (hereafter "Agency") to submit a report (hereafter "Report") which (i) outlined each existing and proposed regulation under the Agency's jurisdiction and (ii) provided an evaluation as to whether the existing and proposed regulation was mandated by law or essential to the public health, safety or welfare; and

WHEREAS, in my January 5, 2017 letter, I requested that each Agency act immediately to repeal or suspend the adoption of all existing or proposed regulations that the Agency found were neither mandated by law nor essential to the public health, safety, or welfare; and

WHEREAS, in their Reports submitted pursuant to my January 5, 2017 letter, many Agencies both (i) identified certain existing or proposed regulations within their jurisdictions that were neither mandated by law nor essential to the public health safety or welfare and (ii) committed to repealing such regulations through the process laid out in the Administrative Procedure Act, NH RSA 541-A (all such rules identified for repeal hereafter referred to as "Obsolete Regulations"); and

WHEREAS, Executive Branch Agencies have so far identified over 1600 Obsolete Regulations for elimination; and

WHEREAS, a significant number of regulations, while mandated by law, could be amended to be made more efficient and streamlined, and therefore less burdensome; and

WHEREAS, members of the public who are affected by regulations should have the opportunity to offer input on potential changes to those regulations.

NOW, THEREFORE, I, CHRISTOPHER T. SUNUNU, GOVERNOR of the State of New Hampshire, by the authority vested in me pursuant to Part II, Article 41 of the New Hampshire Constitution, do hereby order, effective immediately, that:

1. Each Agency shall, by working with the Joint Legislative Committee on Administrative Rules in accordance with the provisions of New Hampshire's Administrative Procedure Act, NH RSA 541-A, promptly initiate and complete the process for repealing all Obsolete Regulations or shall allow such rules to expire without re-adoption.
2. A Steering Committee, referred to as the Regulatory Reform Steering Committee (hereafter the "Steering Committee"), is hereby established to facilitate further regulatory reform efforts.
3. The Steering Committee shall be comprised of the following members:
 - a. Two state representatives, appointed by the Speaker of the House;
 - b. One state senator, appointed by the President of the Senate;
 - c. The Commissioner of the Department of Administrative Services, or designee; and
 - d. Three additional members, appointed by the Governor.
4. The Governor shall designate the chair of the Steering Committee from among the Steering Committee membership.
5. The Steering Committee shall meet at least once per month and make regular progress reports to the Governor.
6. The Steering Committee shall appoint task forces to review select sets of regulations and recommend any changes that the task force feels are necessary in order to reduce the regulatory burden imposed on citizens and businesses and to maintain or enhance the public health, safety or welfare. The task forces may select regulations for review on an agency by agency basis, or on any other basis that the Steering Committee may deem appropriate. In determining the regulations to be reviewed and the task forces to be established, the Steering Committee shall consider the following factors:
 - a. whether the regulations have an immediate and apparent impact on the citizens and businesses of New Hampshire;

- b. whether the regulations serve the best interests of the citizens and business of New Hampshire;
 - c. whether the agency responsible for the regulations is currently undertaking or has recently undertaken any efforts to re-write or otherwise amend the regulations;
 - d. whether the regulations relate to a policy area of immediate and significant importance to the State, such that action on the regulations is necessary within the next two years;
 - e. whether changes to the regulations may be accomplished through amendment to the regulations or through legislative action; and
 - f. whether the regulations and their specific provisions are required by Federal law.
7. Each task force shall have no more than five members, including at least one representative from the relevant governing agency or agencies and at least two members of the public with experience within the relevant regulated community. The task forces shall meet at least monthly, report regularly to the Steering Committee and Governor on its progress, and submit a report containing its recommendations, including recommended regulatory or legislative changes, to the Governor, the Steering Committee, and the Joint Legislative Committee on Administrative Rules by November 1, 2017. Extensions to this deadline may be granted by the Steering Committee with the approval of the Governor.
8. Each Agency shall cooperate with the Steering Committee and appointed task forces and shall, as necessary, assist the Steering Committee and appointed task forces in carrying out the directives contained in this Order.

Given at the Executive Chambers in Concord, this
20th day of July, in the year of Our Lord, two
thousand and seventeen and of the
independence of the United States of America, two
hundred and forty-one.



GOVERNOR OF NEW HAMPSHIRE