



NEW YORK STATE SENATOR

Terrence Murphy

Murphy moves rules reform bills for Sunshine Week

TERRENCE P. MURPHY March 19, 2015

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ALBANY, NY - It's sunshine week in Albany, when open government advocates work to bring transparency to state government and how laws and rules are made.

Businesses in New York State face a myriad of regulations and mandates which often come about as a result of the State's rule-making process, rather than legislation. One lawmaker is working to change that.

As Chairman of the State's Administrative Regulations Review Commission (ARRC), State Senator Terrence Murphy is charged with reviewing all of the proposed rules from state

agencies. This week Senator Murphy announced new legislation which would allow more public discourse and transparency regarding proposed agency rules.

"As a small business owner I can tell you firsthand that the miles of red tape caused by the layers of rules and regulations in New York are doing more harm than good," Senator Murphy said. "From my experience with the Yorktown Health and Wellness Center, and my family's experience with our restaurant, many of these rules and regulations are approved with little input and transparency. It is our responsibility to ensure there is greater transparency and disclosure within the rule making process which I believe my legislation will help do."

Murphy says his rules reform package is designed to take the rule-making process out of the hands of Albany bureaucrats and back in the hands of the people and their elected representatives. The package authored by Murphy now includes:

- Senate Bill [S4318](#) would allow a process for the public to seek adoption, repeal or other changes in state agency rules after submitting a petition with 100 or more signatures;
- Senate Bill [S4319](#) requires state agencies to improve evaluations of the potential impact of rules on jobs and employment opportunities;
- Senate Bill [S4034](#) would allow ARRC to file a formal objection to proposed rules, which might make state agencies reconsider them;
- Senate Bill [S4033](#) allows ARRC to delay a proposed rule by 90 days, allowing for additional public commentary and input; and
- Senate Bill [S4328](#) which would establish a negotiated rule making process for small businesses, requiring a consensus be reached before any rule affecting their affairs is promulgated.

"We cannot continue to allow unelected bureaucrats to impose job-killing regulations from on high," Murphy said. "It's time to shine a light on the rule-making process."

Ever since the New Deal Era, legislatures nation-wide have ceded more and more rule making authority, passing laws and then allowing the executive branch to implement them and determine the legislative intent. New York State has over 750,000 rules which cost

businesses billions of dollars annually, according to the ARRC.

Yesterday, the Senate approved several measures pertaining to ARRC including Senate Bill [S406](#), which Senator Murphy co-sponsored. This legislation would require a full review of rules and regulations that predate 1999 in addition to requiring a five year review of all agency rules.