



The Commonwealth of Massachusetts
Executive Office for
Administration and Finance
State House, Boston 02133

January 15, 2015

Dear Cabinet Secretaries,

By this letter, the Baker-Polito Administration is establishing a pause on the filing of new regulations until March 31, 2015, with limited exceptions that are described below.

A. Background

A pause in the regulatory approval process — during which regulations presumptively will not be approved to be filed — has two primary virtues. First, it permits the Administration to develop a process to streamline the regulations of the Commonwealth in a manner that enables rather than encumbers its citizens. Second, it allows the Administration to focus on the priority of the state budget, both its current-year shortfall and the need to develop a budget for Fiscal Year 2016.

Under various Executive Orders that remain in effect, no regulation may be filed if the Secretary of Administration and Finance disapproves of its filing. Until the end of March, my disapproval is to be presumed.

B. Administration Goals

The Administration's goal is to modernize and simplify the Commonwealth's regulations. A regulation should be straightforward, effective, and no more burdensome than necessary to achieve its purpose. No regulation should be adopted (or remain in place) unless it is easy to understand and meets a specific, discreet need.

We will develop a process to meet these goals. During the interim period extending through March 31, the process described below will be in place.

C. Process

No Executive Department agency may send a proposed regulation out for comment nor file a final regulation with the Secretary of the Commonwealth without my express approval. Until the end of March, that approval will be withheld presumptively. This presumption may be overcome in certain, limited exceptions, specifically:

- i. where an agency is mandated by statute to adopt a regulation by a fixed date and must proceed with the regulatory process in order to comply with that mandate;
- ii. the regulation substantially lessens a regulatory burden (e.g., by constituting repeal of an existing, particularly onerous regulation);
- iii. the regulation is essential for the public health, safety, environment or welfare; or
- iv. the regulation meaningfully addresses an unforeseen matter of public import.

The Executive Office for Administration and Finance will determine the applicability of any of the above exceptions. Please direct any questions concerning the regulatory pause and the process above to Robert Ross, General Counsel of the Executive Office for Administration and Finance.

Thank you for your cooperation.

Sincerely,



Kristen Lepore
Secretary

cc: Division Directors and Agency Heads