

HOUSE CONCURRENT RESOLUTION NO. 145

(By Delegates Sobonya, C. Miller, Howell, Ireland, Kump,
Savilla, Sigler, Snuffer and Sumner)

Requesting the Joint Committee on Government and Finance to conduct a broad study of the rule-making process used throughout the United States; evaluate the process currently used in West Virginia; and propose legislation consistent with the committee's findings.

WHEREAS, The Legislature is committed to a fair and accountable rule-making process which is free for improper influence; and

WHEREAS, A broad, national examination of rule-making in states around the country was conducted by the New York University School of Law's Institute for Policy Integrity; and

WHEREAS, The report was critical of the rule-making process used in West Virginia, concluding "the state has no significant requirement for cost-benefit analysis, so regulatory decisions are often made in a vacuum, with much of the information (and sometimes even the regulation) itself coming from lobbyists"; and

WHEREAS, Periodic evaluation of the effectiveness and efficiency of government policies and procedures are desirable, especially when questions are raised regarding whether those policies and procedures operate in a manner consistent with their goals; therefore, be it

1 *Resolved by the Legislature of West Virginia:*

2 That the Joint Committee on Government and Finance is hereby
3 requested to conduct a broad study of the rule-making process used
4 throughout the United States; evaluate the process currently used
5 in West Virginia; and propose legislation consistent with the
6 committee's findings; and, be it

7 *Further Resolved,* That the Joint Committee on Government and
8 Finance report to the regular session of the Legislature, 2012, on
9 its findings, conclusions and recommendations, together with drafts
10 of any legislation necessary to effectuate its recommendations;
11 and, be it

12 *Further Resolved,* That the Legislative expenses necessary to
13 conduct this study, to prepare a report and to draft necessary
14 legislation be paid from legislative appropriations to the Joint
15 Committee on Government and Finance.