



H.C.R. 24 Regulation Freedom Amendment  
House Economic Development, Commerce and Labor  
Chairman Ron Young  
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Chairman Young and members of the House Economic Development, Commerce and Labor Committee, my name is Bryan Williams. I represent the Associated Builders and Contractors of Ohio. I am pleased to offer proponent testimony on behalf of H.C.R. 24.

ABC is a professional association of construction and constructed related members dedicated to supporting the merit shop commercial contractor in Ohio and throughout the country. Since our inception in 1950, ABC chapters throughout the country have advocated for restrained regulation. H.C.R. 24 is a democratic mechanism of greater restraint.

When Congress passes legislation, it defers important rule making authority to the Executive branch in order to create the necessary details to implement the law. All too often, controversial details which should be decided and voted upon as a matter of the legislation are skirted and left the Executive branch agencies to author and implement. H.C.R. 24 would allow a new constitutional mechanism to reign in this willful abdication of legislative authority by requiring a legislative vote on proposed regulations when twenty-five percent of the U.S. House or Senate object to a proposed rule.

The current process of objecting to administratively authored "legislative" regulations invites costly litigation. In many cases, litigation slows down the implementation of legitimate regulations. In

other cases, litigation fails to succeed and what should be debated as a legislative enactment is enforced as a judicial decree of an Executive branch "statute."

The legislative process is deliberative and requires majority consensus to pass. The impulse to pass legislation void of the detail necessary to implement the enactment, is a dangerous slope which invites costly litigation the taxpayers must pay, delays implementation of the law and moves unwarranted authority to the Executive branch. H.C.R. 24 provides a meaningful solution to this dangerous trend.

In Ohio, the Joint Committee on Agency Rule Review (JCARR), sunset laws and the Common Sense Initiative (CSI) are all mechanisms to offset the negative impact of implementing un-legislated, statutory requirements. These helpful tools demonstrate previous Ohio General Assemblies' awareness of how Executive branch rule writing authority can run amuck of their legislative intent. I would further submit, an Ohio based HCR 24 requirement would largely negate the need for JCARR and CSI.

I know how inviting it is during the legislative process to defer the writing of necessary details to a non-legislative process. But that deferral, which fosters acrimonious and expensive litigation – as well as implementation delay - comes at a large, and avoidable cost. H.C.R. 24 is a wise way to avoid these cumbersome fights and ensure regulation has legislative approval.