

STATE REP. JEFF SPIEGELMAN PLANS TO INTRODUCE A GOOD GOVERNMENT BILL

March 2014

Dear Editor,

How much does it cost? How will it affect me or my business? In my eyes, these are fair questions to ask of any new government regulation.

In the last few years, businesses, farms, and individuals in this state have been subject to a variety of new regulations, licenses, and fees, which, by law, were implemented by our government often without the proponents of such burdens having to answer these very simple questions.

Currently, whenever a new regulation is proposed, the department responsible must be subject to public comment. However, there is no responsibility, under the law, to provide the public with information relating to: how much the regulation will cost in the short or long term, how the proposed regulation will positively affect an individual or business, or what negative effects the regulation may have. In other words, even though the public gets the chance to review the proposed regulation, the state agency or department requesting the new reg has no obligation to present a cost analysis or show the public the potential impacts of such a proposal. In my opinion, this is not the way the system is designed to work.

In the spirit of making government more responsive to the will of the people, I am proud to be the prime sponsor of legislation addressing a gap in the regulatory process. Should House Bill 276 be enacted, whenever a regulation is being created or modified, as part of the public comment process, the agency in charge must answer these basic questions. The bill specifically states:

“The notice shall provide an estimate of the economic effect of the regulation on the business which it is to regulate, if any, and on the public. These estimates must be stated separately, and in each case must include:

- Both adverse and beneficial effects; and
- Both immediate and long-term effects;

The notice shall provide an estimate of the cost to the agency for enforcement of the proposed regulation.”

Under the current Delaware law, the state agency considering a new or modified regulation is already required to consider questions relating to the potential cost impacts and possible effects on individuals and businesses. My bill simply states those issues must now be aired publicly. In that way, this bill will require no additional financial burden to the state.

A recent internal survey this year of members of the Central Delaware Chamber of Commerce rated “Transparency in Government” as one of the most important factors influencing growth and stability in each member’s business. A total of 35% rated it as the most important factor, equal to healthcare concerns and just behind taxes.

The phrase “common sense” is thrown around way too often in the political world. What is often seen as common sense to one group is often an affront to another. However, if We The People are truly still in charge of our own government, and I believe we should be, being able to ask that government demonstrate how much a new program is going to cost and what kinds of effects it will have should be “common sense” requirements and I urge my fellow legislators to view them as such. In addition, in the spirit of just recently marking the five-year anniversary of a law that brought the General Assembly under Delaware’s Freedom of Information Act and, subsequently, now provides more transparency in state government, I urge the passage of this regulatory legislation.

It has been my experience that all political ideologies and both sides of Legislative Hall support the idea of open government. This is an open government bill and I look forward to working with the House and Senate, Democrats and Republicans, and the Governor on bills like this which help to preserve in the state of Delaware a government of the people, by the people, and for the people.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Spiegelman". The signature is fluid and cursive, with a prominent initial "J" and "S".

Jeff Spiegelman
State Representative
11th District