

By Mr. Marotta of Medford, petition of Angelo Marotta for legislation relative to regulations by the Board of Regents of Higher Education. Education.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT RELATIVE TO THE ADOPTION, AMENDMENT OR REPEAL OF REGULATIONS BY THE BOARD OF REGENTS OF HIGHER EDUCATION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 5 of chapter 15A of the General Laws and  
2 section 130 of chapter 329 of the acts of 1980 are hereby amended  
3 by adding at the end of said sections the following paragraphs: —  
4 Any regulation, as defined in section one of chapter 30A, or any  
5 amendment or repeal of any such regulation adopted pursuant to  
6 the authority of this section by the board of regents of higher  
7 education established by chapter 329 of the acts of 1980, shall be  
8 submitted to the general court for approval. The board shall file the  
9 proposed regulation, amendment or repeal with the clerk of the  
10 house of representatives. Any regulations filed with the general  
11 court under the provisions of this section shall be accompanied by  
12 a summary of the regulation in layman's terms. The clerk shall refer  
13 such regulation to the appropriate joint standing committee within  
14 five days of the filing thereof. The committee shall consider the  
15 proposed regulation, amendment or repeal and shall report to the  
16 general court within forty-five days as to whether the same should  
17 be adopted in the manner submitted. The clerk of the senate and  
18 the clerk of the house shall recommend to the general court the  
19 form and procedure which shall be followed in considering the  
20 approval of a proposed regulation, amendment or repeal, provided

21 that approval or disapproval shall be by joint resolution; and  
22 provided, further, that any such regulation, amendment or repeal  
23 shall not be subject to amendment by the general court.

24 The clerk of the senate shall cause any regulation, amendment or  
25 repeal, approved by both branches of the general court within  
26 seventy-five days from the time of filing of the same with the clerk  
27 of the house of representatives, to be forwarded to the governor for  
28 his approval; provided that any such regulation, amendment or  
29 repeal which is not approved by the general court and the governor  
30 within ninety days of such filing shall be deemed to have been  
31 disapproved.

32 If the governor approves any regulation, amendment or repeal  
33 submitted to him, as hereinbefore provided, he shall forward the  
34 same to the state secretary who shall publish the same in accord-  
35 ance with section five of chapter 30A. The state secretary shall not  
36 accept for filing any regulation or any amendment or repeal of any  
37 regulation unless such regulation, amendment or repeal has been  
38 approved by the general court and the governor as provided herein.

39 Emergency regulations may be adopted during the prorogation  
40 of the general court in the manner provided by section five of  
41 chapter 30A; provided, that such regulation shall be filed with the  
42 clerk of the house of representatives for submission the next ses-  
43 sion of the general court for approval as hereinbefore provided;  
44 and provided, further that such regulation shall not remain in force  
45 for more than ninety days after the general court has convened for  
46 such session.

1 SECTION 2. Section 130 of chapter 329 of the acts of 1980 is  
2 further amended by adding at the end thereof the following:—

3 Paragraphs 3, 4, 5, and 6 of section 5 of chapter 15A shall not  
4 apply to rule and regulation powers contained in sections 7 and 13  
5 of chapter 15A.