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# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE GOVERNOR Executive Order 58 (99)

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### **Review of the Impact of Regulations and Executive Policies on the Families of Virginia**

By virtue of the authority vested in me as Governor under Article V of the Constitution of the Commonwealth of Virginia and under the laws of the Commonwealth, including but not limited to Sections 9-6.14:9.1 and 2.1-7.2 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby establish policies and procedures for review of all new or revised regulations proposed by all agencies and institutions of the Commonwealth, as well as periodic review of all existing regulations.

#### **Preamble**

Over the last three decades, we have witnessed a gradual breakdown of the social institution of the family. There have been alarming increases in out-of-wedlock births, divorce rates, child abuse, abandoned children, teenage crimes and drug use, and a host of social pathologies that tear the social fabric. These phenomena have occurred despite unprecedented expenditures by taxpayers on social programs. Many analyses and data document how unintended consequences of government policies enacted in the 1960s and 1970s caused or contributed to the breakdown of the family.

As we move forward into a new century and a new way of thinking about government, policy makers and policy implementers need to heed the lessons of the past. We need to understand the relationship between government actions and families. We need to analyze how and why the family has been weakened, as well as how family bonds may be strengthened. We need to contemplate fully the intended as well as unintended consequences of our actions for the family institution before taking action. And we need to monitor closely the impact of the policies we adopt on the family after putting them into effect.

Several core principles should inform these determinations by policy makers. Government policy should encourage self-sufficiency, self-pride, and the ethic of responsibility through savings, employment, family formation, and family stability. Government policy should encourage the expansion of positive social institutions in our neighborhoods institutions such as families, churches, safe schools and community-based associations. At the very least, government policy should not be implemented in ways that undermine these social institutions and their positive effects on quality of life.

#### **Policy and Procedures for New Regulations**

Consistent with these principles, all executive agencies and institutions shall follow the following policies and procedures prior to promulgating any new regulation or revision to an existing regulation:

- A. Before issuing a Notice of Intended Regulatory Action, the agency or institution shall assess the regulation's

impact on the institution of the family and family stability. The analysis shall be contained in a memorandum signed by the head of the agency or institution, approved by the responsible Secretary, and forwarded to the Director of the Department of Planning and Budget and the Office of the Governor with the proposed regulation.

- B. The agency's review shall specifically analyze, among other things, whether the proposed regulation will:
  - 1. strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children;
  - 2. encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents;
  - 3. strengthen or erode the marital commitment; and
  - 4. increase or decrease disposable family income.
- C. Furthermore, each agency and institution shall periodically review its existing regulations according to these guidelines upon the direction of the Governor or the responsible Secretary and issue a memorandum signed by the agency head to the requesting party. The memorandum shall state the results of the review.

### **Applicability and Effective Date**

This Executive Order shall apply to all regulations issued by all executive branch agencies, departments and institutions, without regard to whether they are exempt from the Administrative Process Act. This Executive Order shall be effective upon its signing and shall remain in full force and effect until amended or rescinded by further Executive Order or statute. Any failure to comply with the requirement set forth herein shall in no way effect the validity of a regulation, or create any cause of action or provide standing for any person under Section 9-6.14:15 et seq. of the Code of Virginia or otherwise challenge the actions of a government entity for adopting or reviewing regulations.

Given under my hand and under the Seal of the Commonwealth of Virginia this 19th day of October, 1999.

Governor James S. Gilmore, III  
Attest: Secretary of the Commonwealth Anne P. Petera