

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 488**

H. P. 381

House of Representatives, February 9, 1979

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Rolde of York.

Cosponsor: Mr. Cunningham of New Gloucester.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT to Amend the Administrative Procedure Act by Providing for Prospective Review of Agency Rules by the Legislature.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1.** 5 MRSA § 8053, sub-§ 1, ¶B, sub-¶ (4) is enacted to read:

(4) **The Legislature. Notification under this paragraph may be by delivery of a copy of the public hearing notice or other appropriate means to the Legislature.**

**Sec. 2.** 5 MRSA § 11103, as enacted by PL 1977, c. 683, § 4, is amended by adding at the end the following new paragraph:

**At least 20 days prior to adoption of any rule, every agency shall submit to the Legislature, along with the copy of public notice required by Title 5, section 8053, subsection 1, paragraph B, a copy of each proposed rule or amendment of rule for which public notice is required by the Administrative Procedure Act or the statutory authority of the agency. The Legislature shall review any proposed rule and recommend to the agency any modification it deems necessary and the reasons therefor.**

**Sec. 3. Appropriation.** The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

	<b>1978-79</b>	<b>1979-80</b>
LEGISLATIVE ACCOUNT		
Positions	(1)	(1)
Personal Services	\$12,375	\$17,250
Capital Expenditures	500	-
	<hr/>	<hr/>
Total	\$12,875	\$17,250

#### STATEMENT OF FACT

This bill provides for actual notice to the Legislature 20 days prior to the adoption of agency rules or amendments to rules and opportunity for review. The fiscal impact of this legislation for the fiscal year 1979-80 will be \$12,875.