

# MAINE STATE LEGISLATURE

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CHAPTER 303

RULES

Sec.

- 2351. Adoption.
- 2352. Filing and taking effect.
- 2353. Publication.
- 2354. Petition for adoption.

§ 2351. Adoption

In addition to other rule-making requirements imposed by law:

1. **Adopt rules.** Each agency may adopt, amend and repeal rules of practice before it, together with forms and instructions.

1963, c. 412, § 6.

2. **Descriptive statements.** To assist interested persons dealing with it, each agency shall so far as practicable supplement its rules with descriptive statements of its procedures.

3. **Notice of action.** Prior to the adoption, amendment or repeal of any rule, the agency shall, so far as practicable, publish or otherwise circulate notice of its intended action and afford interested persons opportunity to submit suggestions orally or in writing.

1963, c. 412, § 6.

4. **Form and legality.** Prior to the adoption, amendment or repeal of any rule authorized by law, the agency shall submit the proposal to the Attorney General for approval as to form and legality. (1963, c. 412, § 6.)

1961, c. 394, § 1; 1963, c. 412, § 6.

§ 2352. Filing and taking effect

Each agency shall file forthwith with the Secretary of State a certified copy of each rule hereafter adopted by it and each rule in effect on September 16, 1961. The Secretary of State shall keep a permanent register of such rules open to public inspection.

1. **Approval.** The adoption, amendment or repeal of a rule by an agency shall not hereafter become effective until approved as to form and legality by the Attorney General. Approval shall

be presumed if the Attorney General takes no action within a period of 30 days after the proposal is submitted.

**2. Effective date.** Except as set forth in subsection 1, the adoption, amendment or repeal of a rule by an agency shall become effective upon filing with the Secretary of State, unless a later date is required by statute or specified in the rule.

1961, c. 394, § 1; c. 417, § 32; 1963, c. 412, § 7.

### § 2353. Publication

The Secretary of State shall, as soon as practicable after September 16, 1961, compile, index and publish all rules adopted by each agency and remaining in effect. Compilations shall be supplemented or revised at least once every 2 years.

**1. Omissions.** The Secretary of State may in his discretion omit from the compilations, rules, the publication of which would be unduly cumbersome, expensive or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting agency, and if the compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

**2. Availability.** Compilations shall be made available upon request to any state official free of charge, and to other persons at a price fixed by the Secretary of State to cover publication and distribution costs.

1961, c. 394, § 1; 1963, c. 412, § 8.

### § 2354. Petition for adoption

Any interested person may petition an agency, except the Liquor Commission, requesting the adoption, amendment or repeal of any rule. Each agency shall prescribe by rule the form for such petitions and the procedure for their submission, consideration and disposition.

1961, c. 394, § 1; 1963, c. 412, § 9.