

MAINE STATE LEGISLATURE

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Dan A. Gwadosky
Secretary of State

Bureau of Corporations, Elections and Commissions

*Department of
the Secretary of State*

January 29, 1999

covers
1998

Rebecca Wyke
Assistant Secretary of State

Nancy B. Kelleher
Deputy Secretary of State

Honorable Angus S. King, Jr.
Governor of the State of Maine
1 State House Station
Augusta, ME 04333-0001

Dear Governor King:

As required by 5 M.R.S.A. Section 8056-A, I am hereby submitting for your consideration my report on the status of the rulemaking process as governed by the Maine Administrative Procedure Act (APA).

In 1998, 297 proposed rule notices were published and 522 rules were adopted by state agencies. This is an increase of 5 proposed rules and a decrease of 70 adopted rules from 1997 figures. The Second Regular Session of the 118th Legislature reviewed 15 major-substantive rules submitted by state agencies.

At the end of 1998, 1,752 rules were on file with the Administrative Procedures Division of the Department of the Secretary of State. This represents a decrease in the number of rules on file since 1997.

The total cost of publishing the rulemaking notices for 1998 was \$253,543. This is an increase of \$10,177.89 from 1997 expenditures. The publication costs are borne by the rulemaking agencies on a *pro rata* basis.

In compliance with statutory requirements, this department has solicited input and comments from Maine citizens on the APA. An advertisement was placed in five daily newspapers requesting comments, however, we did not receive any input of note.

The department has been taking steps to make the APA process and the agency rules themselves more accessible to the public. The full text of all Maine administrative rules, regulatory agendas, and rulemaking notices are available over the Internet through the department web site (www.state.me.us/sos/sos.htm). Additionally, the Administrative Procedures Division has been drafting a handbook to assist both agencies and citizens with the rulemaking process. This handbook should be available for distribution by the end of this Legislative session.

If you have any questions regarding the APA, please feel free to contact my office at 626-8400.

Sincerely,

Dan A. Gwadosky
Secretary of State

DAG/dg