

MAINE STATE LEGISLATURE

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No

January 6, 1954

To E. J. Guinane, Assistant Secretary, Commerce Clearing House, Inc.
214 N. Michigan Avenue, Chicago 1

Your letter of October 27, 1953, addressed to Harvey R Pease, has been referred to this office for consideration and answer.

Your inquiry is concerned with rules and regulations promulgated by the various departments of the State of Maine; and before answering your questions we should like to state briefly that there is no single statute governing rules and regulations and there is no statute dealing with depositaries in which all rules and regulations might be finally gathered. Each department, bureau, or commission which has the power to promulgate rules and regulations is considered individually by the legislature, and different conditions precedent are required before the rules become effective.

You ask five specific questions as follows:

"(1) Are the departments required to file their rules and regulations with some central agency?"

The answer to this question is, No. Section 15 of Chapter 38 of the Revised Statutes provides that all publications, bulletins, pamphlets, etc., issued by any department shall be delivered to the State Library. This might properly include rules and regulations issued by any department.

"(2) If so, with whom are they filed?"

See answer to Question #1.

"(3) If filed with a central agency, must they be on file for a certain period before going into effect?"

Answer . No.

"(4) How long must they be on file before going into effect?"

If filing is at all necessary, reference must be had to the statute to determine how long it must be on file before going into effect.

"(5) Is it possible to obtain copies of the rules and regulations in advance of their effective date?"

Contact must be made with the individual department, commission, or bureau.

jgf/c
cc: Harvey R. Pease, Esq ,
Wiscasset, Maine

James Glynn Frost
Deputy Attorney General