

# MAINE STATE LEGISLATURE

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ATTORNEY GENERAL



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STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

February 1, 1980

Honorable Judy Kany  
Maine House of Representatives  
State House  
Augusta, Maine 04333

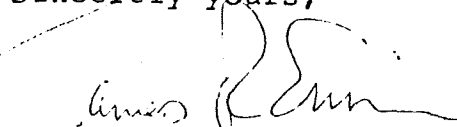
Dear Representative Kany:

You have requested an opinion of this office concerning whether any aspect of operations of the Division of Special Investigation requires the promulgation of rules under the Administrative Procedures Act. Insofar as the current operation of DSI is concerned, we answer in the negative.

It appears from an examination of the practices of DSI and of the policies and procedures set forth by the Board of Directors that all such policies and procedures pertain to the internal management of the division. Nothing has come to our attention from the operations of DSI which is or might sometime hence be judicially enforceable. Failing that test, the operations do not fall within the scope of the definition of "rule" found in the Administrative Procedures Act, 5 M.R.S.A. §8002(9).

If we may be of further assistance to you in this or any other matter, please contact the office.

Sincerely yours,

  
JAMES R. ERWIN  
Assistant Attorney General

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