

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. 6 FY 94/95  
DATE January 5, 1995

**AN ORDER REGARDING ADMINISTRATIVE RULEMAKING**

WHEREAS, the quality of State of Maine administrative rules has a direct influence on the quality of life in Maine and the health of the Maine economy; and

WHEREAS, it is essential that all rules administered by State of Maine agencies faithfully execute the laws of Maine and appropriately balance protection of public health and welfare with the economic impacts of the rule; and

WHEREAS, State of Maine agencies administer a large body of regulations, including some originally promulgated over a decade ago; and

WHEREAS, it is essential that all State of Maine administrative regulations reflect current law and societal conditions; and

NOW, THEREFORE, I, Angus S. King, Jr., Governor of the State of Maine, do hereby order that all state agencies undertake an inventory of their administrative rules using the following criteria and report on their findings to the Governor's Office no later than December 31, 1995. If the rules fail to meet the criteria, the agency shall include its planned course of action to correct the deficiency in the report to the Governor's Office.

The agency shall analyze:

1. Whether the rule faithfully executes the current requirements of state law;
2. Whether the factual and policy bases for the rule are still justified in light of current conditions;
3. Whether an alternative regulatory approach that would yield higher benefits to the public at a lower net cost to the citizens of Maine is feasible;

4. Whether any economic burdens or competitive disadvantages imposed upon the regulated citizens could be minimized through a more flexible regulatory approach, including simplified reporting or compliance requirements;
5. Whether the state rule is inconsistent with counterpart federal law and regulations and, if so, whether this inconsistency can be justified;
6. Whether the agencies' experience in administering the rule indicates that the rule has fulfilled its original policy objectives and cost projections.

**IT IS FURTHER ORDERED**, that no later than December 31, 1995, all state agencies shall assure that their rules are in an electronic text file data base readily accessible to other state agencies and the general public and in a form consistent with any plan or rules promulgated by the Maine Secretary of State pursuant to 5 M.R.S.A. § 8056. The Director of the Bureau of Information Services within the Department of Administrative and Financial Services shall provide assistance to the agencies in this effort.



Angus S. King Jr.  
Governor