

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 03 FY 99/00
DATE May 31, 2000

**ORDER CONFIRMING INITIATIVE PROTOCOL
OF ADMINISTRATIVE RULEMAKING**

WHEREAS, the Governor, as the state's Chief Executive, has oversight responsibility for agency and inter-agency actions; and

WHEREAS, it is important from the administrative and policy-making perspectives to promote communication and coordination among agencies engaged in the rulemaking process; and

WHEREAS, it is fiscally prudent to assure that regulatory proposals adequately consider and weigh cost to the State as well as the cost to, and competitive impact on, the affected regulated community;

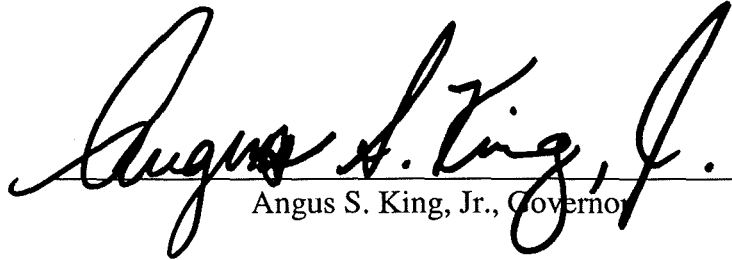
WHEREAS, the State of Maine has used a variety of mechanisms to address these concerns, including Executive Order 12 FY 91/92.

WHEREAS, although many agencies have continued to follow the procedures set out in Executive Order 12 FY 91/92, it is nonetheless important to clarify and update the Administration's expectation about this process;

NOW, THEREFORE, I, Angus S. King, Jr., Governor of the State of Maine, do hereby order that the agencies of the State of Maine shall present to the Office of the Governor a written explanation of the following prior to proposing rules or regulations governed by 5 MRSA §8001 et. seq.:

1. The legal requirement for adopting the rule or regulation;
2. Whether the proposed rule or regulation protects against a direct and immediate threat to the public health, safety or welfare; and
3. An analysis of the costs of the rule or regulatory initiative to the State as well as the cost to, and competitive impact on, the regulated community.
4. Whether the rule is generated by a stakeholder or agency-origination process.

This order also confirms and verifies Executive Order 12FY 91/92 of December 23, 1991, signed by Governor John R. McKernan, Jr., as herein amended.


Angus S. King, Jr., Governor