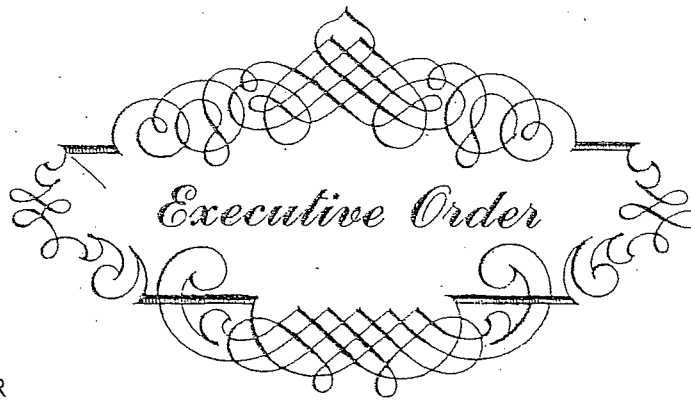


# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. 10 FY 02/03  
DATE 9 April 2003

AN ORDER REGARDING EXECUTIVE REVIEW OF ADMINISTRATIVE  
RULEMAKING

WHEREAS, the legal requirements for and economic impacts of proposed rules promulgated by State of Maine agencies are important to understand and appreciate;

WHEREAS, proposed rules should be evaluated to determine whether such are basic to protecting against direct and immediate harm to the public health, safety, and welfare;

WHEREAS, the State has a responsibility to ensure that regulatory proposals adequately consider and weigh the cost to the State, as well as the cost to and impact on the community affected by such rules:

NOW, THEREFORE, I, John E. Baldacci, Governor of the State of Maine, do hereby order that agencies proposing new rules must present to the respective Commissioners presiding over said agencies a written explanation detailing the following prior to submitting the proposed rules governed by 5 M.R.S.A. § 8001 *et seq.*, to the Office of the Secretary of State:

1. The legal requirement for adopting the rule;
2. Whether the proposed rule protects against a direct and immediate threat to the public health, safety, or welfare; and
3. An analysis of the costs of the regulatory initiative to the State, as well as the cost to and impact on the regulated community.

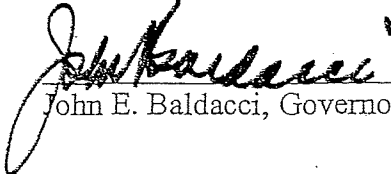
The Commissioner presiding over the respective agencies shall review the written explanation submitted and have an understanding of the substance of the proposed rules. Once that review and understanding are achieved, Commissioners then must indicate their approval of the proposed rules, if such approval is deemed by them to be warranted.

In addition, all proposed rules must undergo a legal review by the Assistant Attorney Generals assigned to and representing the respective agencies, and be approved as legally fit by those Assistant Attorney Generals before proceeding in the rulemaking process.

*Effective Date*

The effective date of this Executive Order is 9 April 2003.

This Executive Order revokes and replaces all prior Executive Orders pertaining to Executive review of proposed agency rules or regulations, including, without exception, Executive Order 12 FY 91/92 (dated 23 December 1991) and Executive Order 03 FY 99/00 (dated 31 May 2000).

  
John E. Baldacci, Governor