

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1748

6  
7 S.P. 675

In Senate, December 27, 1985

8 Received by the Secretary of the Senate on December 27, 1985. Referred  
9 to the Committee on State Government and 1,600 ordered printed pursuant to  
10 Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Chalmers of Knox.

11 Cosponsored by Representative Michael of Auburn, Senator Dutremble  
of York and Representative Crowley of Stockton Springs.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-SIX  
16

17 AN ACT to Allow Administrative Agencies to  
18 Continue to Adopt Emergency Rules  
19 Where Necessary.  
20

21 Be it enacted by the People of the State of Maine as  
22 follows:

23 5 MRSA §8053-A, first ¶, as enacted by PL 1985,  
24 c. 270, is amended to read:

25 At least 20 days prior to the adoption of any  
26 rule, or within 10 days following the adoption of an  
27 emergency rule, the agency shall provide copies of  
28 the rule to the Legislative Administrative Director  
29 of the Legislature Executive Director of the Legisla-  
30 tive Council. The Legislative Administrative Director  
31 Executive Director of the Legislative Council, or his  
32 designee, shall refer the rule to the appropriate  
33 joint standing committee or committees of the Legis-  
34 lature for review.

1

STATEMENT OF FACT

2           The 112th Legislature enacted a requirement that  
3 agencies provide copies of proposed rules to the Leg-  
4 islature at least 20 days prior to their adoption.  
5 This statute inadvertently applied to emergency rules  
6 adopted by administrative agencies where the public  
7 health, safety or general welfare might require imme-  
8 diate action. This bill allows emergency rules to  
9 continue to be adopted when necessary, with provision  
10 for subsequent notification to the Legislature. This  
11 original requirement of prior notification to the  
12 Legislature continues to apply to all rules except  
13 where there is an emergency need for immediate ac-  
14 tion.

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