

MAINE STATE LEGISLATURE

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DATE: March 6, 1996 (Filing No. S- 455)

STATE AND LOCAL GOVERNMENT

Reported by: Senator LONGLEY of Waldo for the Committee.

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STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 678, L.D. 1735, Bill, "An Act to Clarify the Agency Rule-making Process"

Amend the bill in section 1 in subsection 1 by striking out all of the last underlined sentence (page 1, lines 16 to 20 in L.D.)

Further amend the bill in section 2 in subsection 2 by striking out all of the first paragraph (page 1, lines 25 to 28 in L.D.) and inserting in its place the following:

'2. Submission of materials. At the time an agency provisionally adopts a rule, the agency shall submit to the Executive Director of the Legislative Council 20 copies of:'

Further amend the bill in section 2 in subsection 3 in the 3rd and 4th lines (page 1, lines 48 and 49 in L.D.) by striking out the following: "~~Executive-Director-of-the-Legislative-Council shall-determine-the~~" and inserting in its place the following: 'Executive Director of the Legislative Council shall determine the immediately forward the materials to the' and in the 5th line (page 1, line 50 in L.D.) by striking out the following: "of Representatives" and inserting in its place the following: 'for placement on the Advance Journal and Calendar and distribution to a committee as provided in this subsection. The secretary and clerk'

Further amend the bill by inserting at the end before the statement of fact the following:

COMMITTEE AMENDMENT

FISCAL NOTE

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The additional printing costs associated with publishing additional information in the Advance Journal and Calendar of both the Senate and the House of Representatives can be absorbed by the Legislature utilizing existing budgeted resources.'

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STATEMENT OF FACT

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This amendment removes the requirement in the bill that any new rule not categorized by the Legislature in the authorizing legislation as either "routine technical" or "major substantive" to be automatically considered a major substantive rule and subject to legislative review. The amendment also restores the requirement that 20 copies of a major substantive rule and related materials be initially submitted to the Executive Director of the Legislative Council for distribution to a joint standing committee and so that legislative leadership and nonpartisan staff have notice of pending rule reviews.