

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

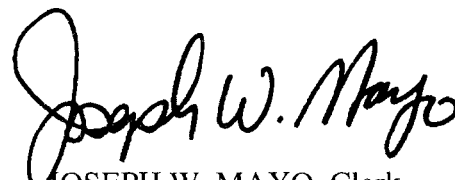
No. 1098

H.P. 775

House of Representatives, February 9, 1999

An Act to Create a Respondent's Bill of Rights in Adjudicatory Proceedings.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative CAMERON of Rumford.
Cosponsored by Representatives: BRUNO of Raymond, CAMPBELL of Holden, MAYO of Bath, MURPHY of Berwick, NASS of Acton, Senators: HARRIMAN of Cumberland, RUHLIN of Penobscot.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32

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

Sec. 1. 5 MRSA §9053-A is enacted to read:

§9053-A. Notice to respondents

At the inception of an adjudicatory proceeding, the agency shall provide notice containing the following information to the person or persons whose legal rights, duties or privileges are at issue:

1. Statutory basis. The statutory basis for the proceeding;

2. Nature of proceeding. The nature and factual summary of the issue that is the subject of the proceeding;

3. Rights affected. The legal rights, duties or privileges at issue in the proceeding;

4. Procedural summary. A summary of the procedural steps the agency will follow throughout the course of the proceeding and the legal rights available to the respondent at each step;

5. Sanctions available. The sanctions or recourse available to the agency depending on the outcome of the proceeding; and

6. Public information. Whether or at what stage the record of the proceeding is public or confidential information.

34
36

SUMMARY

The bill requires agencies conducting adjudicatory proceedings to inform respondents of their rights and the procedures to be followed at the inception of the proceeding.