

MAINE STATE LEGISLATURE

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L.D. 1906

DATE: 4-27-99

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MINORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1323, L.D. 1906, Bill, "An Act to Amend the Maine Administrative Procedure Act Pertaining to Major Substantive Rules Review"

Amend the bill in section 2 in subsection 1 in the 15th line (page 1, line 40 in L.D.) by inserting after the following: "requests" the following: 'in writing'

Further amend the bill in section 2 in subsection 1 in the 17th line (page 1, line 42 in L.D.) by inserting after the following: "agency" the following: 'must notify the Secretary of State and'

Further amend the bill in section 3 in subsection 8 in the 12th line (page 2, line 20 in L.D.) by inserting after the following: "6" the following: 'written'

Further amend the bill in section 3 in subsection 8 in the last line by inserting at the end the following: 'The provisionally adopted rule remains in effect until the effective date of the rule change required by the Legislature.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

This bill may result in the implementation of certain major substantive rules earlier than under current law. Depending on

the substance of the rule, this may result in additional costs or savings or may increase or decrease revenue due to an earlier implementation date.

The Bureau of Corporations, Elections and Commissions within the Department of the Secretary of State will incur some minor additional costs to administer the filing of notice of provisional adoption of some rules. These costs can be absorbed within the bureau's existing budgeted resources.'

SUMMARY

This amendment requires an agency with a provisionally adopted rule to notify the Secretary of State when a rule is adopted provisionally and 6 or more people have not objected in writing. It also clarifies that a provisionally adopted rule remains in effect until changes made as a result of a legislative review are in effect.