

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 electronic originals
(may include minor formatting differences from printed original)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1011

S.P. 290

In Senate, February 26, 2019

An Act To Clarify Filing Requirements for Proposed Rules

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative PIERCE of Falmouth and
Senators: BREEN of Cumberland, President JACKSON of Aroostook, Representative:
DUNPHY of Old Town.

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

2 **Sec. 1. 5 MRSA §8053-A, sub-§1**, as repealed and replaced by PL 1989, c. 574,
3 §5, is amended to read:

4 **1. Proposed rules.** At the time of giving notice of rulemaking under section 8053 or
5 within 10 days following the adoption of an emergency rule, the agency shall provide to
6 the Legislature, in accordance with subsection 3, a fact sheet providing the information as
7 described in section 8057-A, subsection 1 and a written notice identifying whether the
8 proposed rule or adopted emergency rule is a routine technical rule or a major substantive
9 rule as defined in subchapter 2-A.

10 A. If an agency determines that a rule ~~which~~ that it intends to adopt will be
11 substantially different from the proposed rule, it shall provide the Legislature with a
12 revised fact sheet with the information defined in section 8057-A, subsection 1, as it
13 relates to the substantially different rule. The revised fact sheet ~~shall~~ must be
14 provided to the Legislature in accordance with subsection 3.

15 **SUMMARY**

16 This bill clarifies that when an agency provides notice to the Legislature of a
17 proposed rule or the adoption of an emergency rule, it must identify whether the proposed
18 rule or adopted emergency rule is a routine technical rule or a major substantive rule.