

MAINE STATE LEGISLATURE

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MATTHEW DUNLAP
SECRETARY OF STATE

STATE OF MAINE

OFFICE
OF THE
SECRETARY OF STATE

January 31, 2013

covers
2012

Honorable Paul R. LePage, Governor
1 State House Station
Augusta, Maine 04333-0001

Dear Governor LePage:

Pursuant to 5 M.R.S.A. §8056-A, herein is the Secretary of State's report on the progress of the Maine Administrative Procedure Act.

During the year 2012, there were 297 proposed rule filings and 360 adopted rule filings. This represents an increase of 27 proposed rule filings and a decrease of 142 adopted rule filings from 2011. There are fewer proposals than adoptions because of emergency adoption filings, most of which had been Marine Resources closed areas until May. (Note that because of a statutory change, closed area filings are no longer filed with the Secretary of State as of May 3, 2012.) There were 23 provisional major substantive adoptions submitted to the Legislature during 2012, 5 more than 2011. At the end of 2012 there were 2,124 current rule chapters on file with the Secretary of State.

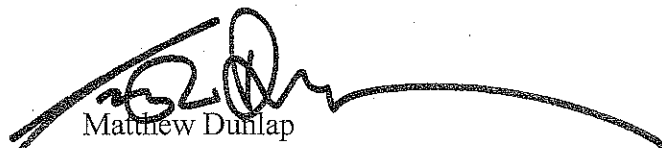
Additionally, during 2012, the cost of publishing the Wednesday rule-making notices in 5 daily newspapers was \$228,514. This was a decrease of \$13,745 from 2011. This cost was spread among the rule-making agencies *pro rata*. Pursuant to Chapter 380 of the Public Laws of 2011, notice of the adoption of rules is no longer published in the newspapers. The average annual cost for the five years preceding the elimination of newspaper publication of adoption notices was \$487,226. Adoption notices are still included on the Bureau's (CEC) weekly website notice.

The Secretary of State solicited comments on the progress of the Maine Administrative Procedure Act by publishing a notice in five daily Maine newspapers and on the Internet. No comments were received.

Direct access to the full text of Maine's rule chapters and regulatory agendas may be found on the Department's website at: www.maine.gov/sos/cec/rules.

If you have any questions regarding the Administrative Procedure Act, please contact me or Julie Flynn, Deputy Secretary of State at 624-7650.

Sincerely,



Matthew Dunlap
Secretary of State