

MAINE STATE LEGISLATURE

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January 31, 2014

Honorable Colleen M. Lachowicz, Senate Chair
Honorable Anne P. Graham, House Chair
Members of the Joint Standing Committee on State and Local Government
2 State House Station
Augusta, Maine 04333-0002

Dear Senator Lachowicz, Representative Graham, and Members of the Joint Standing Committee on State and Local Government:

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 2013, there were 317 proposed rule filings and 337 adopted rule filings. This represents an increase of 20 proposed rule filings and a decrease of 23 adopted rule filings from 2012. There are fewer proposals than adoptions because of emergency adoption filings. There were 17 provisional major substantive adoptions submitted by agencies to the Secretary of State and the Legislature during 2013, 6 fewer than 2012. At the end of 2013 there were 2,099 current rule chapters on file with the Secretary of State.

Additionally, during 2013, the cost of publishing the Wednesday rule-making proposal notices in 5 daily newspapers was \$259,496. This was an increase of \$30,982 from 2012. 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. Weekly adoption notices are included on the Bureau's (CEC) website along with the rule-making proposal notices.

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