

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

S.P. 290 - L.D. 1011

An Act To Clarify Filing Requirements for Proposed Rules

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

Sec. 1. 5 MRSA §8053, sub-§3, ¶E, as amended by PL 2007, c. 181, §3, is further amended to read:

E. Refer to the substantive state or federal law to be implemented by the rules; ~~and~~

Sec. 2. 5 MRSA §8053, sub-§3, ¶F, as enacted by PL 2007, c. 181, §4, is amended to read:

F. Indicate where a copy of the statement of impact on small business pursuant to section 8052, subsection 5-A may be obtained; ~~and~~

Sec. 3. 5 MRSA §8053, sub-§3, ¶G is enacted to read:

G. Indicate whether the rule is routine technical or major substantive as those terms are defined in section 8071.

Sec. 4. 5 MRSA §8053, sub-§7, ¶¶F and G, as enacted by PL 2009, c. 256, §4, are amended to read:

F. Indicate where a copy of the statement of impact on small business pursuant to section 8052, subsection 5-A may be obtained; ~~and~~

G. Indicate the impact on municipalities or counties only if there is an expected financial impact on municipalities identified under section 8063; ~~and~~

Sec. 5. 5 MRSA §8053, sub-§7, ¶H is enacted to read:

H. Indicate whether the rule is routine technical or major substantive as those terms are defined in section 8071.

Sec. 6. 5 MRSA §8053-A, sub-§1, as repealed and replaced by PL 1989, c. 574, §5, is amended to read:

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

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