

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 1189 - L.D. 1778

An Act to Update Provisions of the Maine Administrative Procedure Act

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

Sec. 1. 5 MRSA §8052, sub-§2, as amended by PL 1993, c. 362, §2, is further amended to read:

2. Requirements. ~~Any~~ A public hearing ~~shall~~ must comply with any requirements imposed by statute, but ~~shall~~ is not be subject to subchapter ~~IV~~ 4. Any public hearing ~~shall~~ must be held and conducted as follows.

A. In the case of a rule authorized to be adopted by ~~more than one agency member~~ a board or commission consisting of 3 or more members, at least 1/3 of the ~~agency board or commission~~ members shall must be present during any hearing on the rule.

B. In the case of a rule authorized to be adopted by a single agency member, either the agency member, a person in a major policy-influencing position, as listed in chapter 71, or a designee who has responsibility over the subject matter to be discussed at the hearing shall hold and conduct the hearing.

Sec. 2. 5 MRSA §8052, sub-§5, as amended by PL 2011, c. 380, Pt. NNN, §1, is repealed.

Sec. 3. 5 MRSA §8052, sub-§5-B is enacted to read:

5-B. Basis statement; summary of comments and testimony. At the time of adoption of any rule, an agency shall:

A. Compose a basis statement that briefly explains the factual and policy foundation for the rule. If the adoption under this subsection is final adoption of a major substantive rule under subchapter 2-A, the agency must include in its written statement citation of the legislative act authorizing final adoption of that rule; or, if authorization is the result of failure of the Legislature to act under section 8072, subsection 7, the agency must indicate that fact and identify the date the agency filed the rule for review under section 8072; and

B. List the names of persons whose comments were received, including through testimony at hearings, the organizations the persons represent and summaries of their comments as follows.

(1) The agency shall address the specific comments and concerns expressed about any proposed rule and state its rationale for adopting any changes from the proposed rule, failing to adopt the suggested changes or drawing findings and recommendations that differ from those expressed about the proposed rule.

(2) If the same or similar comments or concerns about a specific issue were expressed by different persons or organizations, the agency may synthesize these comments and concerns into a single comment that accurately reflects the meaning and intent of these comments and concerns to be addressed by the agency, listing the names of the persons who commented and the organizations they represent.

Sec. 4. 5 MRSA §8052, sub-§5-C is enacted to read:

5-C. Consistency of adopted rule with proposed rule. A rule may not be adopted unless the adopted rule is consistent with the terms of the proposed rule, except to the extent that the agency determines that it is necessary to address concerns raised in comments about the proposed rule or specific findings are made supporting changes to the proposed rule. If an agency determines that a rule that the agency intends to adopt is substantively different from the proposed rule, the agency shall request comments from the public concerning the changes from the proposed rule. The agency may not adopt the rule for a period of 30 days from the date comments are requested pursuant to this subsection. Notice of the request for comments must be published by the Secretary of State in the same manner as notice for proposed rules.

Sec. 5. 5 MRSA §8052, sub-§5-D is enacted to read:

5-D. Agency rule files. In addition to other documents required by this Act, an agency shall maintain a file for each rule adopted by the agency that includes the following information:

A. Testimony submitted during any public hearing held on the rule;

B. Written comments submitted on the rule;

C. The names of persons who commented on the rule and the organizations those persons represent; and

D. Any other information relevant to the rule and considered by the agency in connection with the formulation, proposal or adoption of the rule.

Sec. 6. 5 MRSA §8053, sub-§1, as amended by PL 2011, c. 479, §1-3, is further amended to read:

1. Notice of rulemaking without hearing. At least ~~20~~ 17 days prior to the comment deadline of any proposed rule without for which a public hearing will not be held, the agency shall ~~deliver or mail written notice or, with written or electronic agreement of the party, provide~~ send an electronic notice or paper notice to:

A. Any person specified by the statute authorizing the rulemaking;

B. Any person who has filed within the past year a written or electronic request with the agency for notice of rulemaking;

C. Any trade, industry, professional, interest group or regional publication that the agency considers effective in reaching the persons affected; and

E. The primary sponsor of the legislation that was enacted and authorized the rulemaking, as long as the legislation was enacted within the previous 2 years.

Notification to subscribers under paragraph B must be by mail or, with written or electronically submitted agreement of the subscriber, electronic notice or otherwise in writing to the last address provided to the agency by that person. Subscribers under paragraph B may request to receive a copy of each proposed rule with the written notice. The agency shall provide the copy at the same time the notice is sent.

Written or electronic notice must also be given to the Secretary of State, by the deadline established by the Secretary of State, for publication in accordance with subsection 5. This notice must be in a format approved by the Secretary of State.

Sec. 7. 5 MRSA §8053, sub-§2, as repealed and replaced by PL 1979, c. 425, §5, is amended to read:

2. Notice of rulemaking rule-making hearing. When an agency holds a public hearing prior to adoption of a rule, notice of the hearing ~~shall~~ must be given in the manner described in subsections 1 and 5, using the date of the hearing to calculate the time periods involved;

Sec. 8. 5 MRSA §8053, sub-§3, as amended by PL 2019, c. 146, §§1 to 3, is further amended to read:

3. Contents of notice. ~~Except for notices governed by subsections 5 and 7, a~~ A notice under this section must:

~~A. Refer to the statutory authority under which the adoption of the rule is proposed;~~

A-1. Identify the agency proposing the rule;

A-2. Provide the chapter number and title of the proposed rule;

A-3. Cite the statutory authority pursuant to which the rule is being proposed;

~~B. State the date, time and place of any scheduled public hearing or state the manner in which a hearing may be requested;~~

C. State the manner and time within which data, views or arguments may deadline by which comments on the proposed rule must be submitted to the agency for consideration, whether or not a hearing is held;

C-1. State the name, address and phone, telephone number and e-mail address of the a staff person responsible for providing additional information or a printed version of the proposed rule of the agency proposing the rule to whom inquiries about the rule, and requests for copies of the rule, may be sent;

~~D. If possible, contain the express terms of the proposed rule or otherwise describe the substance of the proposed rule, stating the subjects and issues involved and indicate where a copy of the proposed rule may be obtained;~~

D-1. Provide a summary of the proposed rule;

E. Refer to the substantive state or federal law to that would be implemented by the rules proposed rule;

F. Indicate where a copy of the statement of impact on small business information may be obtained about any adverse economic impact on small businesses that was documented by the agency proposing the rule pursuant to section 8052, subsection 5-A may be obtained; and

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

Sec. 9. 5 MRSA §8053, sub-§3-A, as amended by PL 2003, c. 207, §2, is further amended to read:

3-A. ~~Copies of proposed rules available upon request~~ Availability of proposed rules. At least ~~20~~ 17 days prior to a public hearing on any proposed rule and at least ~~20~~ 17 days prior to the comment deadline of any proposed rule ~~without for which a public hearing will not be held~~, the agency shall make ~~copies available on its publicly accessible website~~ a copy of the proposed rule available in writing or, with agreement of the requestor, electronically, as well as provide a paper copy of the proposed rule to ~~persons~~ any person upon request.

Sec. 10. 5 MRSA §8053, sub-§4, as amended by PL 2003, c. 207, §3, is repealed.

Sec. 11. 5 MRSA §8053, sub-§5, as amended by PL 2009, c. 256, §2, is further amended to read:

5. ~~Publication~~ Newspaper publication and online posting of agency rule-making proposal notices. Using the ~~format of notice pursuant to~~ information listed in subsection ~~7 3~~, the Secretary of State shall:

A. ~~Arrange~~ Shall arrange for the weekly newspaper publication of a ~~and post~~, or cause to be posted, on the Secretary of State's publicly accessible website consolidated ~~notice notices~~ of rule making of all state agencies, which shall also include a brief explanation to assist the public in participating in the rule-making process ~~agency rule-making proposals~~. Notice Notices of each rule-making ~~proceeding~~ proposal must be published and posted once 17 to 24 days prior to the public hearing on the proposed rule or, if no public hearing is scheduled, at least 30 days prior to the last date on which ~~views and arguments~~ comments on the rule may be submitted to the agency for consideration ~~if no public hearing is scheduled~~;

B. ~~Designate~~ Shall designate certain newspapers, which together have general circulation throughout the State, as papers of record for the purpose of publishing notice under paragraph A. Notice of proposed rules affecting only a particular locality or region need only be published in the designated newspapers having general circulation in the area affected;

C. ~~Designate~~ Shall designate one day as ~~rules day for publication of notices on rulemaking as set forth~~ that agency rule-making proposal notices described in this subsection are to be published and posted; and

D. ~~Be~~ Must be reimbursed for the cost of publication of rule-making notice by the agencies proposing the ~~rulemaking rules~~. The total costs of each consolidated ~~publication will~~ notice must be prorated by the Secretary of State among all agencies submitting notice for a particular week.

Sec. 12. 5 MRSA §8053, sub-§5-A is enacted to read:

5-A. Agency posting of proposed and adopted rules. An agency shall post its proposed rules on its publicly accessible website. An agency also shall post on its publicly accessible website the adopted rules or provide a link to the adopted rules posted on a publicly accessible website maintained by the Secretary of State.

Sec. 13. 5 MRSA §8053, sub-§6, as amended by PL 2011, c. 326, §1, is further amended to read:

6. Electronic publication Online posting of agency rule-making notices regarding adoption. In addition to the ~~printed publication~~ online posting of agency rule-making proposal notices required in subsection 5, the Secretary of State shall ~~maintain a publicly accessible website for posting the notices of all proposed and adopted rules.~~ The contents of the notice for electronic publication are pursuant to subsection 3. ~~An agency, on its publicly accessible website, shall either post its proposed and adopted rules or provide a link to the proposed or adopted rules posted on the Secretary of State's website. Notice of each rule-making proceeding must be published on the Secretary of State's website 17 to 24 days prior to the public hearing on the proposed rule or at least 30 days prior to the last date on which views and arguments may be submitted to the agency for consideration if no public hearing was scheduled post, or cause to be posted, on the Secretary of State's publicly accessible website the weekly notices of agency rule-making adoptions, provisional adoptions and final adoptions. The notices regarding adoption and final adoption must state the effective date of the adopted or finally adopted rules, as well as provide the information specified in section 8053, subsection 3, paragraphs A-1, A-2, A-3, C-1, D-1 and G.~~

Sec. 14. 5 MRSA §8053, sub-§6-A is enacted to read:

6-A. Explanation of rule-making process. The Secretary of State shall post on the Secretary of State's publicly accessible website a brief explanation of rulemaking to assist the public in participating in the rule-making process. The explanation must include information regarding the manner in which a hearing on a proposed rule may be requested by a member of the public if the agency proposing the rule did not schedule a hearing.

Sec. 15. 5 MRSA §8053, sub-§7, ¶G, as amended by PL 2019, c. 146, §4, is further amended to read:

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

Sec. 16. 5 MRSA §8053-A, sub-§1, ¶A, as amended by PL 2019, c. 146, §6, is further amended to read:

A. If an agency determines that a rule that it intends to adopt will be ~~substantially~~ substantively 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~~ substantively different rule. The revised fact sheet must be provided to the Legislature in accordance with subsection 3.

Sec. 17. 5 MRSA §8053-A, sub-§4, as enacted by PL 1989, c. 574, §5, is amended to read:

4. Adopted rules. When an agency adopts rules, it shall provide a copy of the adopted rules, the statement required by section 8052, subsection 5, 5-B and the checklist required by section 8056-A to the Secretary of State who shall compile the adopted rules by agency.

Sec. 18. 5 MRSA §8053-A, sub-§5, as enacted by PL 2011, c. 479, §4, is amended to read:

5. Annual lists report of rule-making activity. By February 1st of each year, the Secretary of State shall provide the Executive Director of the Legislative Council ~~lists by agency of all rules adopted by each agency in the previous calendar year. The Executive Director of the Legislative Council shall refer each list to the appropriate joint standing committee or committees of the Legislature for review. Each list must include for each rule the following information, which must be submitted by each agency to the Secretary of State:~~ a copy of the annual report required under section 8056-A, subsection 3.

- ~~A. The statutory authority for the rule and the rule chapter number and title;~~
- ~~B. The principal reason or purpose for the rule;~~
- ~~C. A written statement explaining the factual and policy basis for each rule adopted pursuant to section 8052, subsection 5;~~
- ~~D. If the rule adopted was routine technical or major substantive;~~
- ~~E. If the rule was adopted as an emergency; and~~
- ~~F. The fiscal impact of the rule.~~

Sec. 19. 5 MRSA §8056, as amended by PL 2011, c. 380, Pt. NNN, §2, is further amended to read:

§8056. Filing and publication of adopted and provisionally adopted rules; online posting of adopted rules

1. Requirements. With respect to every rule adopted, ~~the or, in the case of a major substantive rule, finally adopted,~~ an agency shall:

- A. Submit the rule to the Attorney General for approval as to form and legality;
- B. ~~File the original rule as signed by the Attorney General or an assistant attorney general and the authorized representative of the agency, and the statement required by section 8052, subsection 5, After the rule is approved by the Attorney General as to form and legality pursuant to paragraph A, file with the Secretary of State in, using a form or forms or an electronic filing platform prescribed by the Secretary of State, which form is susceptible to frequent and easy revision. the adopted rule and any other filing documentation as is required by the Secretary of State. The adopted rule and all other filing documentation must be in a format approved by the Secretary of State; and~~
 - ~~(1) Through rulemaking, an agency may incorporate by reference all or any part of a code, standard, rule or regulation that has been adopted by an agency of the United States or of this State or by a nationally recognized organization or association.~~
 - ~~(2) The reference in the agency rules must fully identify the incorporated matter by exact title, edition or version and date of publication.~~

~~(3) The rules must state where copies of the incorporated matter are available at cost from the agency issuing the rule or where copies are available from the agency of the United States, this State or an organization or association originally issuing that matter.~~

~~(4) An agency incorporating a matter by reference shall submit a copy of the incorporated matter to the Secretary of State;~~

~~C. Supply, Provide, without cost or at actual cost, copies a paper copy of each such rule to any person who has filed with the agency within the past year a written request to be supplied with all copies of the agency's rules; and requests a paper copy.~~

~~D. Publish, pursuant to the procedures set forth in section 8053, subsection 6, a notice containing the following information: A statement that the rule has been adopted, its effective date, a brief description of the substance of the rule, and the address where a copy may be obtained.~~

~~2. Form. With respect to every rule adopted by the agency and in effect, the agency shall print and compile and make available to any person, at each of its offices, for inspection at no charge and for copying with or without cost, as the agency shall determine, and for distribution free or at actual cost, complete sets of such rules currently in effect.~~

~~2-A. Incorporation by reference. Through rulemaking, an agency may incorporate by reference into a rule all or any part of a code, standard, rule or regulation that has been adopted by an agency of the United States or of this State or by a nationally recognized organization or association.~~

~~A. The reference in the agency rule must fully identify the incorporated matter by exact title, edition or version and date of publication.~~

~~B. The rule must state where copies of the incorporated matter are available at cost from the agency issuing the rule or where copies are available from the agency of the United States or this State or the organization or association that originally produced the incorporated matter.~~

~~C. An agency incorporating a matter by reference into a rule shall maintain a copy of the incorporated matter at its principal office.~~

~~3. Secretary of State. The Secretary of State shall: maintain, and make available through the Secretary of State's publicly accessible website, electronic copies of the rules of each agency that are in effect.~~

~~A. Maintain and make available at the Secretary of State's office, for inspection at no charge and for copying or purchase, current copies of complete rules for all agencies filed in accordance with subsection 1, paragraph B;~~

~~A-1. Compile, edit, index and arrange for publication and distribution all current rules of state agencies as available resources permit. Compilations must be supplemented or revised at least annually;~~

~~A-2. Publish an annual list of current rules of state agencies;~~

~~B. Supply, at actual cost, annually updated copies of complete sets of rules of an agency to any person who has filed with the Secretary of State within the past year a written request for such sets of rules; and~~

~~C. Codify all current state agency rules in an electronic text file data base, in consultation with affected state agencies and in accordance with subsections 7 and 8, as available resources permit.~~

~~4. **Additional requirements.** The requirements of subsection 2 shall additionally be applicable to the agency's forms, instructions, explanatory statements and other items defined in section 8002, subsection 9, paragraph B, subparagraph (4).~~

~~5. **Record of vote.** In addition to the foregoing and as applicable, each agency shall keep maintain, at its principal office, and make available for inspection to any person, a record of the vote of each member of the agency taken in rule-making proceedings.~~

~~6. **Attorney General review and approval.** The review required in subsection 1, paragraph A may not be performed by any person involved in the formulation or drafting of the proposed rule. The Attorney General may not approve a rule if it is reasonably expected to result in a taking of private property under the Constitution of Maine unless such a result is directed by law or sufficient procedures exist in law or in the proposed rule to allow for a variance designed to avoid such a taking.~~

~~7. **Codification of rules.** The Secretary of State, in consultation with affected state agencies, shall develop a plan to codify all current rules of state agencies within its available resources. The codified rules must be maintained on an electronic text file data base. To develop the electronic text file data base, agencies may refile an existing rule or parts of an existing rule. If an agency refiles a rule or portion of a rule:~~

~~A. The agency may not make at the time of refiling any substantive changes in that rule or portion of that rule; and~~

~~B. The refiled rule or portion of the rule must be adopted in accordance with the Maine Administrative Procedure Act except that public comment on the refiling under section 8057-A, subsection 3 is limited to documenting where the refiled rule or portion of the rule is substantively different from the existing rule.~~

~~8. **Electronic text file procedures.** Under subsection 1, the Secretary of State may establish by rule in accordance with the Maine Administrative Procedure Act procedures and criteria for the filing of rules in electronic text file format.~~

~~8-A. **Electronic filing procedures.** In accordance with subsection 1, the Secretary of State may establish, including by routine technical rules, procedures for the electronic filing of rules and rule-making documentation. If the Secretary of State implements an electronic filing platform through which rules and rule-making documentation and information specified in this Act are to be filed, that platform is the exclusive means through which rules and rule-making documentation may be filed, except as otherwise determined by the Secretary of State. An adopted rule that is filed by an agency through an electronic filing platform and accepted for filing by the Secretary of State is an official copy of the rule.~~

~~9. **Certification of published adopted rules.** The Secretary of State may certify that a publication of the codified rules and any supplements or replacement volumes to that publication are a correct transcript of the text of the original rules a paper or electronic copy of an adopted rule accepted for filing and maintained by the Secretary of State is an official copy of the rule.~~

~~A. Certified publications paper copies of rules must contain be accompanied by a printed certificate of the Secretary of State stating that the publication is the an official~~

copy. A facsimile of the signature of the Secretary of State imprinted by or at the direction of the Secretary of State has the same validity as a written signature of the Secretary of State.

B. ~~A publication of the rules~~ paper copy of an adopted rule that has been certified by the Secretary of State constitutes prima facie evidence of the rules rule.

C. Any publication or copy of a ~~an adopted rule or rules~~ that is not certified by the Secretary of State:

(1) May neither state nor imply that the publication or copy of the rule is an official copy of the rules; and

(2) Must state in a conspicuous location information about where the Secretary of State's a certified copy is located ~~of the rule may be obtained.~~

~~**10. Minor errors.** The Secretary of State may correct minor, nonsubstantive errors in spelling and format in proposed or adopted rules if the agency is notified.~~

10-A. Minor errors; updating words or terms. Without having to initiate rulemaking pursuant to this Act:

A. At the request of or in consultation with an agency, the Secretary of State may correct minor, nonsubstantive errors in spelling and format in a proposed or adopted rule; and

B. At the request of an agency, the Secretary of State may update words or terms used in an existing rule for which new or more contemporary words or terms are used, including, for example, words or terms that are more respectful than those used in an existing rule.

Sec. 20. 5 MRSA §8056-A, sub-§3, as amended by PL 1991, c. 554, §3, is further amended to read:

3. Report. The Secretary of State shall report to the Governor and the joint standing committee of the Legislature having jurisdiction over state and local government prior to February 1st of each year with respect to rule-making activities for the prior year. The report must include a list of all the rules that were adopted, provisionally adopted or finally adopted by agencies during that prior year, as well as state whether each rule is a routine technical or major substantive rule, whether a rule was adopted on an emergency basis and what the statutory authority is for the rule. The report must also include statistical information on agency rule-making activities, ~~agency experience with procedural requirements of this subchapter, an evaluation of the codification process, the impact of the electronic text file data base on state agencies and users of the rules and recommendations for improvements to the rule-making process.~~ In preparing the report, the Secretary of State shall solicit comments on this subchapter from agencies and their legal counsels, the Executive Director of the Legislative Council and the public.

Sec. 21. 5 MRSA §8063, first ¶, as enacted by PL 1991, c. 233, is amended to read:

Every rule proposed by an agency must contain a fiscal impact note ~~at the end of the rule. The note must be placed on the rule prior to any public hearing and, in the case of rules adopted without a hearing, prior to the sending of notice under section 8053.~~ The fiscal impact note must describe the estimated cost to municipalities and counties for

~~implementing or complying with the proposed rule. If the proposed rule will not impose any cost on municipalities or counties, the fiscal impact note must state that fact as part of the filing.~~

Sec. 22. 5 MRSA §8072, sub-§8, as amended by PL 2011, c. 244, §8, is further amended to read:

8. Final adoption; effective date. Unless otherwise provided by law, final adoption of a rule or part of a rule by an agency must occur within 60 days of the effective date of the legislation approving that rule or part of that rule or of the adjournment of the session in which the Legislature failed to act on the rule or part of the rule as specified in subsection 11. Finally adopted rules must be filed with the Secretary of State as provided in section 8056, subsection 1, paragraph B and notice must be ~~published~~ posted as provided in section 8056, subsection 1, ~~paragraph D~~ 3. Except as otherwise specified by law, the rules become effective 30 days after filing with the Secretary of State or at a later date specified by the agency.

Sec. 23. 12 MRSA §685-A, sub-§7-A, ¶B, as enacted by PL 1999, c. 333, §8, is amended to read:

B. Adoption and amendment of land use district standards, district boundaries and land use maps are rule-making procedures subject to the requirements of Title 5, chapter 375, subchapter ~~H~~ 2, except that the requirements of Title 5, section 8052, subsections ~~5~~, 5-A, 5-B and 7; section 8053-A; section 8056, subsections 1, ~~3~~ and 4 3; section 8056-A; section 8057, subsection 2; section 8057-A; section 8060; section 8062; and section 8064 do not apply. The requirements of Title 5, chapter 375, subchapter ~~H~~ 2 are further modified by the following provisions.

(1) Public notice of proposals to adopt or amend land use district standards, district boundaries or land use maps must state the time and the place where copies of the proposal may be inspected prior to the hearing.

(2) The commission shall give notice of hearings to amend district boundaries, by mail, to appropriate state and federal agencies and the owners of directly affected and abutting properties, according to their names and addresses as shown on the records of Maine Revenue Services or plantation or town tax assessors. If the number of owners of directly affected and abutting properties is more than 50, notice may instead be by publication conforming to the requirements for newspaper publication of hearings under Title 5, chapter 375, subchapter ~~IV~~ 4.

(3) At any time prior to the date of adoption of proposed land use district standards, land use boundaries or land use maps, the commission may elect to reopen the public hearing record and extend the time period for public comment to such date as it may designate.

(4) The commission must act to adopt or not to adopt proposed land use district standards, land use boundaries or land use maps within 90 days after the date of final closure of the public hearing.

(5) Land use district boundaries and land use maps become effective 15 days after adoption or amendment by the commission, as long as the boundaries and maps are available in the appropriate registry of deeds for each county. Notice of adoption or amendment of land use district boundaries and land use maps must be

given by publication one time in a newspaper of general circulation published in the area affected.

(6) Permanent land use standards adopted by the commission are effective immediately, but must be submitted to the next regular or special session of the Legislature for approval or modification. If the Legislature fails to act, those standards continue in full force and effect.

Sec. 24. 25 MRSA §2103-A, sub-§2, ¶D, as enacted by PL 1989, c. 754, Pt. C, §1, is amended to read:

~~D. The Secretary of State shall maintain and make available at the Secretary of State's office, for inspection at no charge and for copying or purchase at actual cost, current copies of those state rules as filed in accordance with paragraph A and include them within the compilations subject to Title 5, section 8056, subsection 3, paragraphs A-1 and B.~~ The Secretary of State Department of Public Safety shall also make available at the Secretary of State's department's main office, for inspection at no charge, and for copying at actual cost, a current published copy of the referenced federal regulations and amendments, but requests for purchase of copies or certified copies of the federal regulations or amendments may be directed to the appropriate federal agency.

Sec. 25. 29-A MRSA §555, sub-§2, ¶E, as amended by PL 2013, c. 50, §1, is further amended to read:

~~E. The Secretary of State shall maintain and make available at the Secretary of State's office for inspection at no charge, and for copying or purchase at actual cost, current copies of the rule and include it within the compilations subject to Title 5, section 8056, subsection 3, paragraphs A-1 and B.~~ The Secretary of State bureau shall also make available for inspection at no charge and for copying at actual cost a current published copy of the referenced federal regulations and amendments.