

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Maine Administrative Procedure Act

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

Sec. 1. 5 MRSA §8053-B is enacted to read:

§ 8053-B. Public rule-making docket

1. Public rule-making docket. Each agency shall maintain a current rule-making docket accessible to the public and posted on the publicly accessible portion of the agency's website. The rule-making docket must list every proposed agency rule or modification of a rule that is under active consideration. For purposes of this subsection, a proposed rule or modification of a rule is under active consideration during the time period commencing from when notice is provided under section 8053 to final disposition of the proposed rule or modification of a rule including withdrawal, termination or rejection of the proposed rule or modification of a rule or when the proposed rule or modification of a rule becomes effective. For each proposed rule or modification of a rule listed in the rule-making docket, the rule-making docket must state:

- A. The precise subject matter of the proposed rule or modification of a rule;
- B. The name, address and phone number of the staff person responsible for providing information on the proposed rule or modification of a rule;
- C. The proposed rule or modification of a rule's current status within the agency; and
- D. Any pending rule-making proceeding under subsection 2 for the proposed rule or modification of a rule.

2. Pending rule-making proceedings. For each proposed rule or modification of a rule listed in the rule-making docket under subsection 1, the rule-making docket must list information on each pending rule-making proceeding, including:

- A. The subject matter of the proposed rule or modification of a rule;
- B. A citation to all published notices relating to the proceeding;
- C. Where written comments concerning the proposed rule or modification of a rule may be inspected;
- D. The time period during which written comments may be made;
- E. The name of any person who petitioned for the adoption or modification of a rule under section 8055 and where any petition under this paragraph may be inspected;

- F. The current status of the proposed rule or modification of a rule and any agency determination with respect to the proposed rule or modification of a rule;
- G. The date and time of any scheduled hearing;
- H. The timetable for any agency decision or other action in the proceeding;
- I. The State's cost to implement the proposed rule or modification of a rule;
- J. The impact of the proposed rule or modification of a rule on business and jobs, including the economic impact statement required under section 8052, subsection 5-A and where the economic impact statement may be inspected;
- K. The date of adoption of the proposed rule or modification of a rule; and
- L. If the proposed rule or modification of a rule has been adopted, the date that the resulting rule or modification becomes effective.

SUMMARY

This bill requires under the Maine Administrative Procedure Act for each state agency to maintain a rule-making docket on the agency's publicly accessible website listing any proposed rules or modifications to rules under active consideration by the agency. The rule-making docket must list for each proposed rule or modification of a rule the specific subject matter of the proposed rule or modification of a rule, agency contact information, status within the agency and information regarding any pending proceedings concerning the proposed rule or modification of a rule.