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## **An Act To Allow Discovery in the Event of a Lawsuit against a State Agency**

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

**Sec. 1. 5 MRSA §11006, sub-§1, ¶A**, as enacted by PL 1977, c. 551, §3, is amended to read:

A. In the case of the failure or refusal of an agency to act or of alleged irregularities in procedure before the agency ~~which~~ that are not adequately revealed in the record, discovery may be conducted by the petitioner as permitted by the Maine Rules of Civil Procedure and evidence ~~thereon~~ may be taken and determination made on the matter by the reviewing court.

### **SUMMARY**

This bill permits a petitioner under the Maine Administrative Procedure Act to conduct discovery if any agency fails or refuses to act or there are alleged irregularities that are not adequately revealed in the record of a proceeding.