



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

---

Legislative Document

No. 1011

---

S.P. 290

In Senate, February 26, 2019

### An Act To Clarify Filing Requirements for Proposed Rules

---

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator MILLETT of Cumberland.  
Cosponsored by Representative PIERCE of Falmouth and  
Senators: BREEN of Cumberland, President JACKSON of Aroostook, Representative:  
DUNPHY of Old Town.

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

2 **Sec. 1. 5 MRSA §8053-A, sub-§1**, as repealed and replaced by PL 1989, c. 574,  
3 §5, is amended to read:

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

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

15 **SUMMARY**

16 This bill clarifies that when an agency provides notice to the Legislature of a  
17 proposed rule or the adoption of an emergency rule, it must identify whether the proposed  
18 rule or adopted emergency rule is a routine technical rule or a major substantive rule.