RESOLVE Chapter 207, LD 1784, 124th Maine State Legislature
Resolve, Directing the Joint Standing Committee on State and Local Government
To Study the Rule-making Process under the Maine Administrative Procedure Act

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Sec. 1 Interim committee study. Resolved: That the Joint Standing Committee on State and Local Government is authorized to hold up to 3 interim meetings to study the rule-making process under the Maine Administrative Procedure Act. In conducting the study, the committee shall examine:

1. The circumstances surrounding the adoption of emergency rules, in particular major substantive rules, to ensure that the process of adopting an emergency rule is applied only when there is truly an emergency;

2. The Legislature's role in reviewing major substantive rules, including whether sufficient information is being provided by agencies, oversight functions are adequate and appropriate notice is being provided to the public, and the implications for state agencies of the statutory deadline for submitting major substantive rules to the Legislature; and

3. The relationship between the intention of the Legislature in adopting specific content in a major substantive rule and the rule as drafted by the department; and be it further

Sec. 2 Report. Resolved: That the Joint Standing Committee on State and Local Government shall, by November 3, 2010, submit a report that includes its findings and recommendations on matters relating to the issues identified in section 1, along with any suggested legislation, to the First Regular Session of the 125th Legislature for presentation to the joint standing committee of the Legislature having jurisdiction over state and local government matters.