

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

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 5 MRSA §8052, sub-§5, ¶B, as amended by PL 1993, c. 446, Pt. A, §19, is further amended to read:

B. 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. The agency shall maintain a file for each rule adopted that must include, in addition to other documents required by this Act, testimony, comments, the names of persons who commented and the organizations they represent and information relevant to the rule and considered by the agency in connection with the formulation, proposal or adoption of a rule. If an agency determines that a rule that the agency intends to adopt is substantially 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 paragraph. Notice of the request for comments must be published by the Secretary of State in the same manner as notice for proposed or adopted rules.

Sec. 2. 5 MRSA §8056, sub-§1, ¶D, as enacted by PL 1981, c. 524, §12, is amended to read:

D. Publish, pursuant to the procedures set forth in section 8053, subsection 56, 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.

Sec. 3. Secretary of State to use General Fund savings to develop a plan for the website. General Fund savings from the reduction in newspaper advertising resulting from posting notices of adopted rules on a publicly accessible website maintained by the Secretary of State pursuant to this Act must be allocated to the Secretary of State to be used solely for developing and implementing a plan to improve the website. The website must be made more user-friendly with easy searchability of agency rules and archival capability. The Secretary of State shall report to the Joint Standing Committee on State and Local Government by January 15, 2012 on the progress in developing and implementing the plan.

Sec. 4. Calculation and transfer. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 3 of this Part that applies against each General Fund account for all departments and agencies from savings associated with eliminating the requirement to publish all adopted rule notices in newspapers and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2011#12 and fiscal year 2012#13.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding for the advertising of adopted rule notices in newspapers.

GENERAL FUND	2011-12	2012-13
All Other	(\$75,000)	(\$100,000)
GENERAL FUND TOTAL	(\$75,000)	(\$100,000)

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for updating the publicly accessible website. This appropriation must be used solely for this purpose.

GENERAL FUND	2011-12	2012-13
All Other	\$75,000	\$100,000
GENERAL FUND TOTAL	\$75,000	\$100,000

SUMMARY

This amendment replaces the bill. It requires the Secretary of State to publish adopted rule notices only on the publicly accessible website maintained by the Secretary of State. The bill removes all proposed and adopted rules from publication in the newspaper beginning July 1, 2012. The amendment also requires the General Fund savings from reducing newspaper publication to be allocated to the Secretary of State to be used for improving the website and requires the Secretary of State to submit a progress report to the Joint Standing Committee on State and Local Government by January 15, 2012. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)