**MAPA-3** revised 8-2019

**Notice of Agency Rulemaking Proposal**

AGENCY:

CHAPTER NUMBER AND TITLE:

TYPE OF RULE *(check one)*:  Routine Technical  Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY:

Date, time and location of PUBLIC HEARING *(if any)*:

COMMENT DEADLINE:

CONTACT PERSON FOR THIS FILING *(include name, mailing address, telephone, fax, TTY, email)*:

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*:

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*:

STATUTORY AUTHORITY FOR THIS RULE:

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:

AGENCY WEBSITE:

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:

*\* Check one of the following two boxes.*

*□ The summary provided above is for publication in both the newspaper and website notices.*

*□ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State’s website. Title 5 §8053, sub-§3, ¶D & sub-§6.*

**Please approve bottom portion of this form and assign appropriate AdvantageME number.**

APPROVED FOR PAYMENT DATE:

(*authorized signature)*

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **FUND** | **AGENCY** | **ORG** | **APP** | **OBJ** | **PROGRAM** | **FUNDING**  **Profile JVC** | **FUND**  **Pri JVC** | **FUND**  **Line JVC** |
|  |  |  |  |  |  |  |  |  |

**MAPA-3** revised 2-2016: additional summary information for web

**Notice of Agency Rulemaking Proposal**

**Additional Information for the Web** *(if any)*

**DETAILED SUMMARY:**

**MAPA-3** revised 8-2019: annotated instructional version (not for filing with the Secretary of State)

**Notice of Agency Rulemaking Proposal**

**Annotated Version for Agency Guidance (please do not file this version of the form)**

|  |  |
| --- | --- |
|  | **This column contains information to guide you in filling out the MAPA-3 form.** |
| AGENCY: | *Include umbrella-unit number - name of agency*  *For example:* 03-201 – Department of Corrections |
| CHAPTER NUMBER AND TITLE:  TYPE OF RULE *(check one)*:   Routine Technical  Major Substantive | *Provide chapter number and title of the new or amended rule being proposed.*  *Statute determines which type it is.* |
| PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*): |  |
| BRIEF SUMMARY: | *Provide a brief and general summary of the substance of the proposed rule. Title 5 §8053, sub-§7, ¶D* |
| Date, time and location of PUBLIC HEARING *(if any)*: | *State the date, time and location of any scheduled public hearing, or how to request one if no hearing has been scheduled. Title 5 §8053, sub-§3, ¶B.* |
| COMMENT DEADLINE: | *Title 5 §8053, sub-3, ¶B.* |
| CONTACT PERSON FOR THIS FILING *(include name, mailing address, telephone, fax, TTY, email)*: | *This person is responsible for providing additional information and a printed version of the proposed rule if requested. He or she is also responsible for receiving data, views or arguments submitted to the agency, whether or not a hearing is held. Title 5 §8053, sub-§3,¶C-1.* |
| CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*: | *Name and contact information of the person, if different, who can provide the small business impact statement, if applicable. Title 5 §8053, sub-§3,¶F and 8053, sub-§7,¶F. See Title 5 §8052 sub‑§5-A for explanation of the small business impact statement requirement.* |
| FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: | *Estimate the anticipated cost, if any, to municipalities or counties for implementing or complying with the rule. Title 5 §8053, sub-§7, ¶G & 8063.* |
| STATUTORY AUTHORITY FOR THIS RULE: | *Needed for the web version of the notice, not the newspaper ad. Title 5 §8053, sub-§3, ¶A* |
| SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*: | *Needed for the web version of the notice, not the newspaper ad. Title 5 §8053, sub-§3, ¶E* |
| AGENCY WEBSITE: | *Will be added to the web version of this notice.* |
| EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: | *If different from contact person listed above – for the web version.* |

*(over)*

*\* Check one of the following two boxes.*

*□ The summary provided above is for publication in both the newspaper and website notices.*

*□ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State’s website. Title 5 §8053, sub-§3, ¶D & sub-§6.*

**Please approve bottom portion of this form and assign appropriate AdvantageME number.**

APPROVED FOR PAYMENT DATE:

(*authorized signature)*

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **FUND** | **AGENCY** | **ORG** | **APP** | **OBJ** | **PROGRAM** | **FUNDING**  **Profile JVC** | **FUND**  **Pri JVC** | **FUND**  **Line JVC** |
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**MAPA-3** revised 11-2017: additional summary information for web: annotated instructional version (not for filing with the Secretary of State)

**Notice of Agency Rulemaking Proposal**

**Additional Information for the Web**

|  |  |
| --- | --- |
| DETAILED SUMMARY: | *Explain why this rule is being proposed and how it will operate. See Title 5 §8053 sub-§3 ¶D: “If possible, contain the express terms of the proposed rule or otherwise describe the substance of the proposed rule, stating the subjects and issues involved and indicate where a copy of the proposed rule may be obtained.”* |

revised 8-2019

Rulemaking Fact Sheet

*(5 MRSA §8057-A)*

AGENCY:

NAME, ADDRESS, PHONE NUMBER, EMAIL OF AGENCY CONTACT PERSON:

CHAPTER NUMBER AND RULE TITLE:

TYPE OF RULE *(check one)*:  Routine Technical  Major Substantive

STATUTORY AUTHORITY:

DATE, TIME AND PLACE OF PUBLIC HEARING:

COMMENT DEADLINE:

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? YES NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [*see* §§8057-A(1)(E) & 8063-B]

ESTIMATED FISCAL IMPACT OF THE RULE: [*see* §8057-A(1)(C)]

|  |
| --- |
| ***FOR EXISTING RULES WITH FISCAL IMPACT OF $1 MILLION OR MORE, ALSO INCLUDE:***  ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:  [*see* §8057-A(2)(A)]      INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED: [*see* §8057-A(2)(B)]        BENEFITS OF THE RULE: [*see* §8057-A(2)(C)] |

*Note: If necessary, additional pages may be used.*

Administrative Procedure Act

CHECKLIST

Agency:

Chapter Number and Title of Rule:

**PROPOSED RULE:**

1. Was this rule listed on the last regulatory agenda?

2. Date of notification of: Anyone on mailing list

Any trade, industry or

professional group

Any trade publications

3. Date Notice of Rulemaking Proposal (MAPA-3) sent to Secretary of State:

4. Date Fact Sheet sent to Executive Director of Legislative Council:

5. Date of publication in Secretary of State's rulemaking ad.:

6. Date of hearing(s): 7. Comment deadline:

**ADOPTED RULE:**

8. Was comment deadline extended or comment period reopened?

If yes, date of second notice publication in Secretary of State's rulemaking ad:

9. Is adopted rule consistent with what was proposed?

(If not, please address the changes in the comments and responses section of your filing.)

10. Is the person signing the Certification Statement (MAPA-1, #9)

authorized to do so as stated in your statutes or in 5 MRSA, c.71?

11. Was the rule adopted within 120 days of the comment deadline?

12. Was the rule approved and signed by the Office of the

Attorney General within 150 days of the comment deadline?

13. Is a Basis Statement included? Is a copy of the Fact Sheet included?

Are comments, with names and organizations, and your responses included?

Rulemaking Cover Sheet

**MAPA-1**

**TO: Secretary of State**

**ATTN: Administrative Procedure Officer,**

**State House Station 101, Augusta, Maine 04333.**

**1. Agency:**

**2. Agency umbrella and unit number**:

(2 digit umbrella # and 3 digit unit #)

**3. Title of rule:**

**4. Chapter number assigned to the rule**

(must be 3 digits or less)

**5. Date(s)/method(s) of notice:**

**6. Date(s)/place(s) of hearing(s):**

**7. Type:**  new rule  partial amendment(s) of existing rule

 suspension of existing rule  repeal of rule  emergency rule

 repeal and replace: complete replacement of existing chapter, with former version simultaneously repealed.

**8. Name/phone of agency contact person:**

**9. If a major substantive rule under Title 5, c. 375, sub-CII-A, check one of the following**

** Provisional adoption  Final adoption**

(prior to Legislative review)

** emergency adoption of major-substantive rule**

|  |
| --- |
| **10.** **Certification Statement:** I, hereby certify  that the attached is a true copy of the rule(s) described above and lawfully adopted by  on .  (name of agency) (date)  I further certify that all portions of this rule are adopted in compliance with the requirements of the Maine Administrative Procedure Act.  **Signature:** .  (original signature, personally signed by the head of agency)  **Printed name & title:** . |
|  |
| **11.** **Approved as to form and legality by the Attorney General on** .  (date)  **Signature**  .  (original signature, personally signed by an Assistant Attorney General)  **Printed Name:** . |

MAPA-4

Notice of Agency Rulemaking Adoption

**AGENCY:**

**CHAPTER NUMBER AND TITLE:**

**ADOPTED RULE NUMBER:** **20xx.xxx**

(LEAVE BLANK - ASSIGNED BY SECRETARY OF STATE)

**CONCISE SUMMARY**

**EFFECTIVE DATE**:

(TO BE FILLED IN BY SECRETARY OF STATE)

**AGENCY CONTACT PERSON:**

**AGENCY NAME:**

**ADDRESS:**

**TELEPHONE:**