

REGULATORY FAIRNESS BOARD

Meeting Notes

March 25th, 2010

10am, Eliot Stanley observes that only 3 of 4 RFB members needed for quorum have arrived for the start of official business, so informal status until the 4th member arrives.

Mention of tentative hearing October 8th in Washington County to look at issues related to the area, i.e.: chicken processing, blueberry farming, etc, and also hoping for prominent SBA member. Two potential facilities exist in either Calais or Jonesboro (Blueberry Experimental Facility, just south of Machias).

10:15, RFB will begin with a presentation of the back-fit memo put together by Mike Meisner.

Van Perry suggests that a better name or more introductory information may be required before backfit principles can be introduced.

Eliot Stanley asks if other states might have adopted policies related to backfit, but Meisner comments that no states have done this yet because regulators in general are against backfit, and NCR would not force these types of policies at the state level.

Conversation led by Eliot Stanley about the need to include discussions of administrative practices act and backfit rule into hearing format to have documented transcripts to better demonstrate the importance of these proposals.

11:20am, quorum of members reached. Eliot suggests a review of the previous meeting's notes, Van Perry moves to accept the notes as minutes.

No DEP representative joined the meeting.

Eliot attended the stakeholders' meeting for LD 1608 at Commissioner Head's office. Stakeholders were mostly the state agencies under OLR umbrella. They were all opposed to making changes in the current structure. LD 1608 would require a return to the 1970s practice of having an administrative practices judge. With the request of stakeholders to kill the bill, the BRED committee decided to carry the bill over to the next session. Meanwhile, Eliot spoke with some attorneys who recommended that RFB keep working on the project. Eliot proposes to hold a hearing in the BRED committee room to call in some of the grievances from dental community to include their voices into transcript. The Board of Dental Examiners should also be invited to participate. Can Linda Snyder request data on how many regulatory complaints have been received by OLR before a next hearing? Eliot would also like to ask John Patterson, who has written much on due process and licensing environment in Maine, to appear before RFB on the record. RFB staff will check on BRED committee room available on a day when most RFB members will be able to attend, preferably the second half of the month of May.

October 8th may be a good day for a hearing in Washington County. Marie suggests that with proper advertising, especially in the natural resources areas, the public is likely to take interest. RFB staff will check on reimbursement details to allow RFB members from far away an overnight stay.

12:00pm, movement to adjourn meeting.