



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 383

H.P. 234

House of Representatives, January 31, 2023

An Act to Restore Legislative Oversight of Rulemaking

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

A handwritten signature in black ink, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ANDREWS of Paris.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: GREENWOOD of Wales, RISEMAN of Harrison, Senator: BRAKEY of
Androscoggin.

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

Sec. 1. 5 MRSA §8052, sub-§1, as amended by PL 2007, c. 581, §2, is further amended to read:

1. Notice; public hearing. Prior to the adoption of any rule, the agency shall give notice as provided in section 8053 and may hold a public hearing, except that a public hearing must be held if otherwise required by statute or requested by any 5 interested persons ~~or if the rule is a~~ and all rules adopted under this chapter are considered major substantive ~~rule rules~~ as defined in section 8071, subsection 2, paragraph B.

A public meeting or other public forum held by an agency for any purpose that includes receiving public comments on a proposed agency rule is a public hearing and is subject to all the provisions of this subchapter regarding public hearings.

Sec. 2. Revisor's review; cross-references. The Revisor of Statutes shall review the Maine Revised Statutes and include in the errors and inconsistencies bill submitted to the Second Regular Session of the 131st Legislature pursuant to Title 1, section 94 any sections necessary to correct and update any cross-references in the statutes to provisions of law repealed in this Act.

SUMMARY

This bill changes the designation of all rules adopted pursuant to the Maine Administrative Procedure Act to major substantive rules.