



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 383

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H.P. 234

House of Representatives, January 31, 2023

### An Act to Restore Legislative Oversight of Rulemaking

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

A handwritten signature in cursive script that reads "Robert 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.

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

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

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

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

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16 of law repealed in this Act.

17 **SUMMARY**

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